

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 02/23/11 **DATE OF COMPLETION:** 06/28/11 **PAGE#** 1 of 1

**SUMMARY OF ALLEGATION #1:** The officer behaved inappropriately and made inappropriate comments.

**CATEGORY OF CONDUCT:** CRD **FINDING:** NS **DEPT. ACTION:**

**FINDINGS OF FACT:** The complainant stated he refused to provide his name to the officer because he didn't like the officer's tone of voice. The complainant alleged the officer yelled at him, threatened to "kick his ass" and also unsnapped his gun holster while speaking to the complainant. The officer denied all of these allegations. A sergeant at the scene stated the officer did not behave in the manner described by the complainant. A witness stated the officer acted professionally. There was no additional evidence and no other witnesses to further prove or disprove the allegation.

**SUMMARY OF ALLEGATION #:**

**CATEGORY OF CONDUCT:** **FINDING:** **DEPT. ACTION:**

**FINDINGS OF FACT:**

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 03/15/11 **DATE OF COMPLETION:** 06/28/11 **PAGE #** 1 of 2

**SUMMARY OF ALLEGATION # 1:** The officer conducted a traffic stop without cause.

**CATEGORY OF CONDUCT:** UA **FINDING:** PC **DEPT. ACTION:**

**FINDINGS OF FACT:** The complainant stated he was stopped for a limousine inspection because the TCP number on his limousine was out of compliance however, the complainant stated his TCP numbers were in compliance. The officer had the authority to conduct a traffic stop for investigation while working on a special assignment on limousine enforcement. Per DGO 2.01 Rule 5 and DB 09-030 Limousine Enforcement, the officer performed his duty. The evidence proved that the acts, which provided the basis for the allegations, occurred; however, such acts were justified, lawful, and proper.

**SUMMARY OF ALLEGATION #2:** The officer issued a citation without cause.

**CATEGORY OF CONDUCT:** UA **FINDING:** PC **DEPT. ACTION:**

**FINDINGS OF FACT:** The complainant stated that he was cited for having an incomplete waybill. The complainant admitted that two areas on the waybill were left blank because he was giving his clients a tour and did not know where they wanted to be dropped off or the time. The officer issued the citation for an incomplete waybill. Per DGO 2.01 Rule 5 and DB 09-030 Limousine Enforcement, the officer performed his duty. The evidence proved that the acts, which provided the basis for the allegations, occurred; however, such acts were justified, lawful, and proper.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 03/15/11 **DATE OF COMPLETION:** 06/28/11 **PAGE #** 2 of 2

**SUMMARY OF ALLEGATION #3:** The officer exhibited inappropriate behavior.

**CATEGORY OF CONDUCT:** CRD **FINDING:** NS **DEPT. ACTION:**

**FINDINGS OF FACT:** The complainant stated he felt he was being harassed because the officer began to read him the regulations for a limousine although he told the officer that he had a copy of the regulations, which he had in his car at the time. The complainant said the officer became upset and continued to read the regulations in front of his passengers. The officer stated this incident happened over a year ago and stated that he generally gives the driver a copy of the requirements so he will know what he needs in the future. There were no other witnesses. There is insufficient evidence to prove or disprove the allegation.

**SUMMARY OF ALLEGATION #:**

**CATEGORY OF CONDUCT:** **FINDING:** **DEPT. ACTION:**

**FINDINGS OF FACT:**

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 03/15/11    **DATE OF COMPLETION:** 06/20/11    **PAGE #1** of 2

**SUMMARY OF ALLEGATION #1:** The officer conducted a traffic stop without cause.

**CATEGORY OF CONDUCT:** UA      **FINDING:** PC      **DEPT. ACTION:**

**FINDINGS OF FACT:** The complainant was stopped for speeding, however, he felt the officer stopped him because he was driving a black Lincoln Town Car. The named officer stated a sergeant, who was acting as a decoy officer, informed him that the complainant was soliciting fares and told him to conduct a traffic stop. However, the officer also observed the complainant speeding. The officer had the authority to conduct a traffic stop for investigation while working with the Limousine Detail. The incident report documents the investigation and per DGO 2.01 Rule 5 and Department Bulletin 09-030 Limousine Enforcement Procedures and Regulations, the officer performed his duty. The evidence proved that the acts, which provided the basis for the allegations, occurred; however, such acts were justified, lawful, and proper.

**SUMMARY OF ALLEGATION #2:** The officer issued a citation without cause.

**CATEGORY OF CONDUCT:** UA      **FINDING:** PC      **DEPT. ACTION:**

**FINDINGS OF FACT:** The complainant stated he was cited for solicitation and not having a waybill even though he explained the ride was free. The named officer issued the citation based on information provided by decoy officers in a Limousine Detail investigation. The decoy officer stated the complainant solicited he and his partners for a \$15 ride to a hotel and when he was pulled over, he heard the complainant tell the named officer that the ride was free. The incident report documents the investigation and per DGO 2.01 Rule 5 and Department Bulletin 09-030 Limousine Enforcement Procedures and Regulations, the officer performed his duty. The evidence proved that the acts, which provided the basis for the allegations, occurred; however, such acts were justified, lawful, and proper.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 03/15/11    **DATE OF COMPLETION:** 06/20/11    **PAGE #2 of 2**

**SUMMARY OF ALLEGATION #3:** The officer exhibited inappropriate behavior.

**CATEGORY OF CONDUCT:** CRD      **FINDING:** PC      **DEPT. ACTION:**

**FINDINGS OF FACT:** The complainant stated he felt he was being harassed because of the type of car he was driving. The named officer stated he was ordered to conduct a traffic stop and issue the citation. A decoy officer stated he was working the Limousine detail and conducting investigation of limousines that solicit. The decoy officer stated the complainant offered to take him and two other decoy officers to a Hotel for \$15 dollars. The incident report documents the investigation and per DGO 2.01 Rule 5 and Department Bulletin 09-030 Limousine Enforcement Procedures and Regulations, the officer performed his duty. The evidence proved that the acts, which provided the basis for the allegations, occurred; however, such acts were justified, lawful, and proper.

**SUMMARY OF ALLEGATION #:**

**CATEGORY OF CONDUCT:**                      **FINDING:**                      **DEPT. ACTION:**

**FINDINGS OF FACT:**

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 03/14/11 **DATE OF COMPLETION:** 06/06/11 **PAGE #1 of 1**

**SUMMARY OF ALLEGATION #1-2:** The officers failed to take the required action.

**CATEGORY OF CONDUCT:** ND **FINDING:** M **DEPT. ACTION:**

**FINDINGS OF FACT:** By mutual agreement of the complainant and the accused member, the complaint was mediated and resolved in a non-disciplinary manner on May 18, 2011.

**SUMMARY OF ALLEGATION #3-4** The officers made inappropriate comments.

**CATEGORY OF CONDUCT:** UA **FINDING:** M **DEPT. ACTION:**

**FINDINGS OF FACT:** By mutual agreement of the complainant and the accused member, the complaint was mediated and resolved in a non-disciplinary manner on May 18, 2011.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 04/07/11 **DATE OF COMPLETION:** 06/06/11 **PAGE #1** of 1

**SUMMARY OF ALLEGATION #1:** The officer failed to prepare an accurate report.

**CATEGORY OF CONDUCT:** ND **FINDING:** M **DEPT. ACTION:**

**FINDINGS OF FACT:** By mutual agreement of the complainant and the accused member, the complaint was mediated and resolved in a non-disciplinary manner on May 12, 2011.

**SUMMARY OF ALLEGATION #:**

**CATEGORY OF CONDUCT:** **FINDING:** **DEPT. ACTION:**

**FINDINGS OF FACT:**

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 04/07/11    **DATE OF COMPLETION:** 06/30/11    **PAGE#** 1 of 1

**SUMMARY OF ALLEGATION #1:** The officer issued a citation without cause.

**CATEGORY OF CONDUCT:**    UA    **FINDING:**    NF/W    **DEPT. ACTION:**

**FINDINGS OF FACT:** The complainant requested a withdrawal of the complaint.

**SUMMARY OF ALLEGATION:**

**CATEGORY OF CONDUCT:**                    **FINDING:**                    **DEPT. ACTION:**

**FINDINGS OF FACT:**



**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 04/15/11 **DATE OF COMPLETION:** 06/28/11 **PAGE #1** of 1

**SUMMARY OF ALLEGATION #1:** The officer used unnecessary force on the complainant.

**CATEGORY OF CONDUCT:** UF **FINDING:** NF/W **DEPT. ACTION:**

**FINDINGS OF FACT:** The complainant withdrew his complaint.

**SUMMARY OF ALLEGATION #:**

**CATEGORY OF CONDUCT:** **FINDING:** **DEPT. ACTION:**

**FINDINGS OF FACT:**

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 04/21/11    **DATE OF COMPLETION:** 06/13/11    **PAGE #1** of 1

**SUMMARY OF ALLEGATION #1:** This complaint raises matters outside OCC's jurisdiction.

**CATEGORY OF CONDUCT:** N/A      **FINDING:** IO-1      **DEPT. ACTION:**

**FINDINGS OF FACT:** This complaint raises matters outside OCC's jurisdiction as the citation was not issued by a member of the SFPD. The complainant has been referred to:

SF MTA-DPT Enforcement and Security Detail  
11 South Van Ness Avenue  
San Francisco, CA 94103

**SUMMARY OF ALLEGATION #:**

**CATEGORY OF CONDUCT:**                      **FINDING:**                      **DEPT. ACTION:**

**FINDINGS OF FACT:**

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 05/02/11 **DATE OF COMPLETION:** 06/28/11 **PAGE #1 of 1**

**SUMMARY OF ALLEGATION #1:** The officer misused department equipment.

**CATEGORY OF CONDUCT:** CRD **FINDING:** U **DEPT. ACTION:**

**FINDINGS OF FACT:** The complainant stated the officer used SFPD equipment to run information about her ex-husband, her fiancée, and her. The sniffer results were negative. There is no evidence indicating the officer misused department equipment.

**SUMMARY OF ALLEGATION #2:** The officer misused police authority.

**CATEGORY OF CONDUCT:** CRD **FINDING:** U **DEPT. ACTION:**

**FINDINGS OF FACT:** The complainant stated the officer used SFPD equipment to run information about her ex-husband, her fiancée, and her. The sniffer results were negative. There is no evidence indicating the officer misused department equipment.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 05/03/11    **DATE OF COMPLETION:** 06/06/11    **PAGE** #1 of 1

**SUMMARY OF ALLEGATION #1:** The department failed to take the required action.

**CATEGORY OF CONDUCT:** ND            **FINDING:** M            **DEPT. ACTION:**

**FINDINGS OF FACT:** By mutual agreement of the complainant and the accused member, the complaint was mediated and resolved in a non-disciplinary manner on June 1, 2011.

**SUMMARY OF ALLEGATION #:**

**CATEGORY OF CONDUCT:**            **FINDING:**            **DEPT. ACTION:**

**FINDINGS OF FACT:**

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 05/04/11 **DATE OF COMPLETION:** 06/17/11 **PAGE #1 of 2**

**SUMMARY OF ALLEGATIONS #1-2:** The officers failed to take the required action.

**CATEGORY OF CONDUCT:** ND **FINDING:** NF/W **DEPT. ACTION:**

**FINDINGS OF FACT:** The complainant requested a withdrawal of the complaint.

**SUMMARY OF ALLEGATION #3:** The officer's comments and behavior were threatening and inappropriate.

**CATEGORY OF CONDUCT:** CRD **FINDING:** NF/W **DEPT. ACTION:**

**FINDINGS OF FACT:** The complainant requested a withdrawal of the complaint.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 05/04/11      **DATE OF COMPLETION:** 06/17/11      **PAGE #2 of 2**

**SUMMARY OF ALLEGATION #4:** The officer's comments and behavior were inappropriate.

**CATEGORY OF CONDUCT:** CRD      **FINDING:** NF/W      **DEPT. ACTION:**

**FINDINGS OF FACT:** The complainant requested a withdrawal of the complaint.

**SUMMARY OF ALLEGATION #:**

**CATEGORY OF CONDUCT:**                      **FINDING:**                      **DEPT. ACTION:**

**FINDINGS OF FACT:**

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 05/26/11    **DATE OF COMPLETION:** 06/17/11    **PAGE#** 1 of 1

**SUMMARY OF ALLEGATION #1:** The officers' actions were intimidating and inappropriate.

**CATEGORY OF CONDUCT:** CRD            **FINDING:** IO-1            **DEPT. ACTION:**

**FINDINGS OF FACT:** This complaint raises matters outside the OCC jurisdiction. The complaint has been referred to:

San Francisco Police Department  
Internal Affairs Department  
850 Bryant Street, Room 545  
San Francisco, CA 94103

**SUMMARY OF ALLEGATION #:**

**CATEGORY OF CONDUCT:**                    **FINDING:**                    **DEPT. ACTION:**

**FINDINGS OF FACT:**

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 06/02/11 **DATE OF COMPLETION:** 06/17/11 **PAGE#** 1 of 1

**SUMMARY OF ALLEGATION # 1:** The officer used unnecessary force on the complainant's son.

**CATEGORY OF CONDUCT:** UF **FINDING:** NFW **DEPT. ACTION:**

**FINDINGS OF FACT:** The complainant requested a withdrawal of the complaint.

**SUMMARY OF ALLEGATION #:**

**CATEGORY OF CONDUCT:** **FINDING:** **DEPT. ACTION:**

**FINDINGS OF FACT:**



**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 06/06/11    **DATE OF COMPLETION:** 06/22/11    **PAGE #1** of 1

**SUMMARY OF ALLEGATION #1:** This complaint raises matters outside OCC's jurisdiction.

**CATEGORY OF CONDUCT:** N/A            **FINDING:** IO-1            **DEPT. ACTION:**

**FINDINGS OF FACT:** This complaint raises matters outside OCC's jurisdiction. This complaint has been referred to:

SFPD Internal Affairs Division  
850 Bryant Street, Room 545  
San Francisco, CA 94103

**SUMMARY OF ALLEGATION #:**

**CATEGORY OF CONDUCT:**                    **FINDING:**                    **DEPT. ACTION:**

**FINDINGS OF FACT:**

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 06/13/11    **DATE OF COMPLETION:** 06/30/11    **PAGE #1** of 1

**SUMMARY OF ALLEGATION #1:** The officer failed to properly investigate a reported crime.

**CATEGORY OF CONDUCT:** ND    **FINDING:** NF-W    **DEPT. ACTION:**

**FINDINGS OF FACT:** The complainant requested a withdrawal of the complaint..

**SUMMARY OF ALLEGATION #2:** The officer arrested the complainant without cause.

**CATEGORY OF CONDUCT:** UA    **FINDING:** NF-W    **DEPT. ACTION:**

**FINDINGS OF FACT:** The complainant requested a withdrawal of the complaint.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 05/19/10    **DATE OF COMPLETION:** 06/17/11    **PAGE#** 1 of 2

**SUMMARY OF ALLEGATIONS #1-2:** The officers used force on the subjects.

**CATEGORY OF CONDUCT:**    UF    **FINDING:**    NS    **DEPT. ACTION:**

**FINDINGS OF FACT:** The complainants stated the officers used excessive force on the subjects. One of the complainants said the officers struck and kicked one of the subjects. The other complainant said officers hit the other subject and she fought back. The officers stated both subjects were not cooperative, disobeyed lawful orders to stop, one of the subjects tried to flee, and the other subject tried to incite a crowd. The civilian witnesses did not provide a statement and other witnesses did not witness the incident. There is insufficient evidence to either prove or disprove the allegation made in the complaint.

**SUMMARY OF ALLEGATIONS #3-4:** The officers detained the subjects without cause.

**CATEGORY OF CONDUCT:**    UA    **FINDING:**    NS    **DEPT. ACTION:**

**FINDINGS OF FACT:** The complainants stated the officers should not have detained the subjects. The officers said they were conducting a citywide gang enforcement operation in known gang areas. The officers said while on patrol they recognized some of the parties being detained, as documented gang members with search conditions. The officers stated one of the detainees tried to leave the scene and a related bystander interfered with the officer's that were conducting a related investigation. The civilian witnesses did not provide a statement and other witness officers did not witness the incident. There is insufficient evidence to either prove or disprove the allegation made in the complaint.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 05/19/10    **DATE OF COMPLETION:** 06/17/11    **PAGE#** 2 of 2

**SUMMARY OF ALLEGATIONS #5-7:** The officers arrested the subjects without cause.

**CATEGORY OF CONDUCT:**    UA    **FINDING:**    NS    **DEPT. ACTION:**

**FINDINGS OF FACT:** The complainants stated the subjects did nothing wrong and should not have been arrested. The officers denied the allegation and said the subjects were not cooperative, interfered with a police investigation, attempted to incite other civilians, assaulted an officer and resisted arrest. Another officer said the other subject resisted and attempted to flee the scene. The witnesses did not provide statements and other witnesses did not observe the incident. There is insufficient evidence to either prove or disprove the allegation made in the complaint.

**SUMMARY OF ALLEGATION #:**

**CATEGORY OF CONDUCT:**                      **FINDING:**                      **DEPT. ACTION:**

**FINDINGS OF FACT:**

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 06/22/11      **DATE OF COMPLETION:** 06/27/11      **PAGE #1** of 1

**SUMMARY OF ALLEGATION #1:** Officers failed to take required action.

**CATEGORY OF CONDUCT:** N/A      **FINDING:** IO-2      **DEPT. ACTION:**

**FINDINGS OF FACT:** The complaint raises matters not rationally within OCC's jurisdiction.

**SUMMARY OF ALLEGATION #:**

**CATEGORY OF CONDUCT:**                      **FINDING:**                      **DEPT. ACTION:**

**FINDINGS OF FACT:**

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 06/25/10    **DATE OF COMPLETION:** 06/16/11    **PAGE#** 1 of 1

**SUMMARY OF ALLEGATION #1:** The officer detained the complainant without justification.

**CATEGORY OF CONDUCT**    UA    **FINDING**    PC    **DEPT. ACTION:**

**FINDINGS OF FACT:** The complaint stated that he was with a friend at a public event when he noticed that police had formed a line and were directing people in a certain direction away from where a shooting had occurred earlier in the evening. The complainant stated that he drank approximately four alcohol beverages during the evening prior to his contact with the SFPD. The complainant observed a woman fall to the ground during a fight and he went to aid her across the street. As he walked towards the woman, an officer detained and handcuffed him for what the complainant stated was no reason. The witness, a friend of the complainant, stated that officers were clearing the street and he heard officers give the orders over a loudspeaker. He stated that the complainant drank a few alcohol beverages that night. The witness said the complainant commented that he was going across the street to break up the fight between the women, and that the complainant then crossed in the middle of the street. Officers then stopped the complainant and a conversation ensued between the complainant and officers that the witness did not hear. Soon after, the witness observed officers grab the complainant by the torso and take him to the ground. The witness stated that the complainant could have been acting belligerently towards the officers. The named officer stated that he detained the complainant for a 647(f) PC violation as he observed the complainant unable to care for himself and under the influence of alcohol. The evidence shows that the conduct alleged did occur, however, the detention was proper and justified.

**SUMMARY OF ALLEGATION #2-3:** The officers used unnecessary force during the contact.

**CATEGORY OF CONDUCT:**    UF    **FINDING:**    NS    **DEPT. ACTION:**

**FINDINGS OF FACT:** The complainant stated that the officers used unnecessary force when they took him to the ground and later lifted his arms above his head. The witness stated he observed the complainant and an officer talking when a scuffle ensued and the named officer and other officers grabbed the complainant by the torso and took him to the ground. The officer stated that the complainant was in the middle of the street, when he was stopped by two officers who directed him to the sidewalk. The complainant would not comply with officers' orders and attempted to pull away from the officers and tense up. Due to the complainant's behavior, the named officer conducted a leg sweep on the complainant to gain control and to take custody of the complainant. The officer did not recall who the other officers on scene were during this contact, as there were many officers from different stations in the area for the event that occurred that evening. No other independent witnesses were identified and videotape from local merchants did not show the interaction between the complainant and the officers. There is insufficient evidence to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 06/28/10      **DATE OF COMPLETION:** 06/13/11      **PAGE#** 1 of 4

**SUMMARY OF ALLEGATION #1:** The officer improperly displayed his weapon.

**CATEGORY OF CONDUCT:**      UA      **FINDING:**      NS      **DEPT. ACTION:**

**FINDINGS OF FACT:** The complainant alleged the off-duty officer deliberately drove over toward him from several lanes of traffic and tried to force him off his skateboard into some parked cars, by cornering him and stopping. The complainant punched the officers and fled. A vehicle and foot pursuit ensued. During the final segment of the chase, the officers verbally identified themselves as police officers. The complainant stated when he heard the men self-identify as police and told him to stop, he cooperated. He proned himself on the ground, but the officer improperly threatened him with his firearm. The officer denied the allegation. No available witnesses came forward. There was insufficient evidence to prove or disprove the allegation made in the complaint.

**SUMMARY OF ALLEGATION #2:** The officer drove in a negligent manner.

**CATEGORY OF CONDUCT:**      ND      **FINDING:**      NS      **DEPT. ACTION:**

**FINDINGS OF FACT:** The complainant alleged the off-duty officer pursued him and tried to run him off the road. The complainant said this upset him and he struck the off-duty officer several times and fled. While his passenger chased the complainant on foot, the named officer drove parallel to the complainant and stopped at a 45-degree angle in front of the complainant. There were no witnesses to the events that preceded the assault. The officer's subsequent actions, although not contemplated in Department policy, were not unreasonable.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 06/28/10      **DATE OF COMPLETION:** 06/13/11      **PAGE#** 2 of 4

**SUMMARY OF ALLEGATION #3:** The officer failed to properly identify himself.

**CATEGORY OF CONDUCT:**      ND      **FINDING:**      NS      **DEPT. ACTION:**

**FINDINGS OF FACT:** The complainant alleged the officer failed to properly identify himself. The officer denied the allegation. He stated he verbally identified himself. When the complainant was in custody, the officer stated he retrieved his firearm and star and showed it to the complainant. No available witnesses came forward. There was insufficient evidence to prove or disprove the allegation made in the complaint.

**SUMMARY OF ALLEGATION #4:** The officer failed to properly identify himself.

**CATEGORY OF CONDUCT:**      ND      **FINDING:**      NF      **DEPT. ACTION:**

**FINDINGS OF FACT:** The officer is no longer available and is, therefore, not subject to Department discipline.



**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 06/28/10      **DATE OF COMPLETION:** 06/13/11      **PAGE#** 3 of 4

**SUMMARY OF ALLEGATION #5:** The officer used unnecessary force.

**CATEGORY OF CONDUCT:**      UF      **FINDING:**      NS      **DEPT. ACTION:**

**FINDINGS OF FACT:** The complainant alleged the officer used unnecessary force while taking him into custody. The complainant said that when he heard the officers say they were police, he proned himself on the ground. The complainant said the officer then “knee dropped him” unnecessarily when he was already on the ground. The officer denied the allegation. No available witnesses came forward. There was insufficient evidence to prove or disprove the allegation made in the complaint.

**SUMMARY OF ALLEGATION #6:** The officer used unnecessary force.

**CATEGORY OF CONDUCT:**      UF      **FINDING:**      NF      **DEPT. ACTION:**

**FINDINGS OF FACT:** The officer is no longer available and is, therefore, not subject to Department discipline.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 06/28/10      **DATE OF COMPLETION:** 06/13/11      **PAGE#** 4 of 4

**SUMMARY OF ALLEGATION #7:** The officer wrote an inaccurate/incomplete incident report.

**CATEGORY OF CONDUCT:**      ND      **FINDING:**      NS      **DEPT. ACTION:**

**FINDINGS OF FACT:** The complainant stated that the narrative portion of the officer's incident report contained omissions regarding what occurred during the incident for which he was arrested. He stated the officer's narrative failed to contain relevant exculpatory evidence. The officer denied the allegation. He stated that by making reference to the complainant's statement in his report, he had made sufficient reference to any exculpatory information. No available witnesses came forward. There was insufficient evidence to prove or disprove the allegation made in the complaint.

**SUMMARY OF ALLEGATION #:**

**CATEGORY OF CONDUCT:**      **FINDING:**      **DEPT. ACTION:**

**FINDINGS OF FACT:**

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 06/28/10 **DATE OF COMPLETION:** 06/23/11 **PAGE#** 1 of 2

**SUMMARY OF ALLEGATIONS #1-2:** The officers arrested the complainant and his friend without cause.

**CATEGORY OF CONDUCT:** UA **FINDING:** NF/W **DEPT. ACTION:**

**FINDINGS OF FACT:** The complainant requested a withdrawal of the complaint.

**SUMMARY OF ALLEGATIONS #3-4:** The officers used force during the arrests of the complainant and his friend.

**CATEGORY OF CONDUCT:** UF **FINDING:** NF/W **DEPT. ACTION:**

**FINDINGS OF FACT:** The complainant requested a withdrawal of the complaint.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 06/28/10 **DATE OF COMPLETION:** 06/23/11 **PAGE#** 2 of 2

**SUMMARY OF ALLEGATIONS #5-6:** The officers failed to take required action.

**CATEGORY OF CONDUCT:** ND **FINDING:** NF/W **DEPT. ACTION:**

**FINDINGS OF FACT:** The complainant requested a withdrawal of the complaint.

**SUMMARY OF ALLEGATION #:**

**CATEGORY OF CONDUCT:** **FINDING:** **DEPT. ACTION:**

**FINDINGS OF FACT:**

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 07/22/10    **DATE OF COMPLETION:** 06/20/11    **PAGE#** 1 of 2

**SUMMARY OF ALLEGATION #1:** The officer detained the complainant without justification.

**CATEGORY OF CONDUCT:** UA    **FINDING:** NS    **DEPT. ACTION:**

**FINDINGS OF FACT:** The officer was never identified. No witnesses came forward. There was insufficient evidence to either prove or disprove the allegation.

**SUMMARY OF ALLEGATION #2:** The officer used unnecessary force during detention.

**CATEGORY OF CONDUCT:** UF    **FINDING:** NS    **DEPT. ACTION:**

**FINDINGS OF FACT:** The officer was never identified. No witnesses came forward. There was insufficient evidence to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 07/22/10    **DATE OF COMPLETION:** 06/20/11    **PAGE** 2 of 2

**SUMMARY OF ALLEGATION #3:** The officer searched the complainant without cause.

**CATEGORY OF CONDUCT:** UA    **FINDING:** NS    **DEPT. ACTION:**

**FINDINGS OF FACT:** The officer was never identified. No witnesses came forward. There was insufficient evidence to either prove or disprove the allegation.

**SUMMARY OF ALLEGATION #:**

**CATEGORY OF CONDUCT:**    **FINDING:**    **DEPT. ACTION:**

**FINDINGS OF FACT:**

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 07/21/10    **DATE OF COMPLETION:** 06/28/11    **PAGE#** 1 of 2

**SUMMARY OF ALLEGATIONS #1 & 2:** The officers used unnecessary force during the arrest.

**CATEGORY OF CONDUCT:** UF      **FINDING:** PC      **DEPT. ACTION:**

**FINDINGS OF FACT:** The complainant stated he was drunk, begging for money and did not know what he was doing when he asked an unidentified person for some money. He then saw a policeman running towards him and tackle him to the ground. He alleged the officers intentionally injured his (complainant's) arm during the process for no apparent reason. The complainant said he was subsequently arrested, but denied committing any crime. One of the officers stated he observed an unidentified female walking down the street accompanied by the complainant. The female appeared to be in distress, and it also appeared the complainant was forcing the woman to walk against her will. The officer walked over to the complainant and inquired whether anything was wrong. The complainant threw some car keys at the officer and ran away. The woman then yelled, "He (the complainant) robbed me!" The officer chased the complainant, caught him, and tackled him to the ground. The officer described the manner in which the complainant further resisted arrest. The officer's partner arrived and helped to subdue the complainant. The officers said they used the minimal amount of force necessary to arrest the complainant. The female victim confirmed the complainant had robbed her and was about to force her to drive away with him to another location when one of the officers arrived. Although she did not see the officers catch the complainant, she saw the officers return to her location with the complainant in handcuffs. She did not see the officers mistreat the complainant in any way. Department General Orders permit officers to use force when someone attempts to evade a lawful arrest. In this case, the officers stated they on-viewed the complainant and victim together and had information that the complainant had committed a crime when the victim yelled to the officers that the complainant had just robbed her as he ran away from the scene when the officers approached. The victim corroborated that the complainant robbed her and was forcing her to move against her will when the complainant ran from the officers. A preponderance of the evidence shows that the act alleged occurred, however, said act was lawful and proper pursuant to Department procedures.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 07/21/10    **DATE OF COMPLETION:** 06/28/11    **PAGE#** 2 of 2

**SUMMARY OF ALLEGATIONS #3 & 4:** The officers arrested the complainant without cause.

**CATEGORY OF CONDUCT:** UA      **FINDING:** PC      **DEPT. ACTION:**

**FINDINGS OF FACT:** The complainant said the officers arrested him without cause. The female victim stated that the complainant robbed her, sexually assaulted her, moved her against her will and that he ran from the officers. The officers indicated there was no question about the identity of the complainant who robbed the victim, threatened her with bodily harm, forcibly attempted to move her to another location and then ran from the scene when the officers observed him with the victim. A preponderance of the evidence proved that the conduct complained of did occur, and that using as a standard the applicable regulations of the Department, the conduct was proper.



**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 07/29/10      **DATE OF COMPLETION:** 06/14/11      **PAGE #1** of 4

**SUMMARY OF ALLEGATIONS #1 & 2:** The officers arrested the complainant without cause.

**CATEGORY OF CONDUCT:** UA      **FINDING:** U      **DEPT. ACTION:**

**FINDINGS OF FACT:** The complainant alleged the officers arrested him after he was only trying to inform them of, what he believed was, rampant criminal activity being perpetrated by unknown individuals. The officers described the complainant's behavior and stated he was acting irrationally. The officers stated they offered the complainant a ride home to get him away from the location where he was creating a disturbance and the complainant accepted. The evidence proved that the act alleged in the complaint did not occur.

**SUMMARY OF ALLEGATION #3:** The officer handcuffed the complainant without cause.

**CATEGORY OF CONDUCT:** UA      **FINDING:** PC      **DEPT. ACTION:**

**FINDINGS OF FACT:** The complainant alleged the officers handcuffed him after he was only trying to inform them of, what he believed was, rampant criminal activity being perpetrated by unknown individuals. The officers described the complainant's irrational behavior. The officers stated they offered the complainant a ride home to get him away from the location where he was creating a disturbance and the complainant accepted. One of the officers admitted handcuffing the complainant for reasons of officer safety prior to transporting him to his residence. The officers explained the purpose for handcuffing to the complainant who agreed to the procedure. It is Department procedure to handcuff individuals being transported in a patrol car. The evidence proved that the acts, which provided the basis for the allegation, occurred; however, such acts were justified, lawful and proper.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 07/29/10      **DATE OF COMPLETION:** 06/14/11      **PAGE #2 of 4**

**SUMMARY OF ALLEGATION #4:** The officer handcuffed the complainant without cause.

**CATEGORY OF CONDUCT:** UA      **FINDING:** PC      **DEPT. ACTION:**

**FINDINGS OF FACT:** The complainant alleged the officers handcuffed him after he was only trying to inform them of, what he believed was, rampant criminal activity being perpetrated by unknown individuals. The officers described the complainant's irrational behavior. The officers stated they offered the complainant a ride home to get him away from the location where he was creating a disturbance and the complainant accepted. Another officer admitted handcuffing the complainant for reasons of officer safety prior to transporting him to his residence. The officers explained the purpose of handcuffing to the complainant who agreed to the procedure. It is Department procedure to handcuff individuals being transported in a patrol car. The evidence proved that the acts, which provided the basis for the allegation, occurred; however, such acts were justified, lawful and proper.

**SUMMARY OF ALLEGATION #5:** The officer failed to take the required action.

**CATEGORY OF CONDUCT:** ND      **FINDING:** S      **DEPT. ACTION:**

**FINDINGS OF FACT:** The complainant alleged officers arrested him. The named officer admitted handcuffing the complainant but said he did not arrest him. The officer said he was only providing a courtesy ride to the complainant, who accepted the ride and acquiesced to being handcuffed. The other officer then drove the patrol car to the complainant's residence, which was several city blocks away from where the complainant was creating a disturbance. The named officer, riding in the passenger seat of the patrol car, did not notify the communications center of their contact with the complainant, their change of location or the completion of their assignment once they arrived at the new location. Furthermore, the officer did not prepare an Incident Report. A preponderance of the evidence proved that the conduct complained of did occur, and that using as a standard the applicable regulations of the Department, the conduct was improper.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 07/29/10      **DATE OF COMPLETION:** 06/14/11      **PAGE #3 of 4**

**SUMMARY OF ALLEGATION #6:** The officer failed to take the required action.

**CATEGORY OF CONDUCT:** ND      **FINDING:** U      **DEPT. ACTION:**

**FINDINGS OF FACT:** The complainant alleged the officers arrested him. Another officer admitted handcuffing the complainant but said he did not arrest him. The named officer then drove the complainant to his residence, which was several city blocks away from where the complainant was creating a disturbance. Another officer failed to notify the communications center of their contact with the complainant, their change of location or the completion of their assignment once they arrived at the new location, and did not prepare an Incident Report. The evidence proved that the named member was not responsible for taking the action required by the Department.

**SUMMARY OF ALLEGATIONS #7 & 8:** The officers failed to properly process the complainant's property.

**CATEGORY OF CONDUCT:** ND      **FINDING:** NS      **DEPT. ACTION:**

**FINDINGS OF FACT:** The complainant alleged the officers failed to return to him a brown paper bag containing personal items. One of the named officers asked the complainant about the brown paper bag, and the complainant reportedly told the officer to throw the bag away. Accordingly, the officer discarded the brown paper bag as trash. No independent witnesses were developed to corroborate the complainant's allegations. There is insufficient evidence to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 07/29/10      **DATE OF COMPLETION:** 06/14/11      **PAGE #4 of 4**

**SUMMARY OF OCC ADDED ALLEGATION #1:** The officer failed to issue an 849(b) Certificate of Release as required by general orders.

**CATEGORY OF CONDUCT:** ND      **FINDING:** S      **DEPT. ACTION:**

**FINDINGS OF FACT:** The complainant alleged officers arrested him. The named officer admitted handcuffing the complainant but said he did not arrest him. The officer stated he offered the complainant a ride home to get him away from the location where the complainant was creating a disturbance and the complainant accepted. The officer handcuffed the complainant for reasons of officer safety prior to transporting him to his residence. Another officer drove the patrol car and they took the complainant to his residence, which was several city blocks away from where the complainant was creating a disturbance. The named officer did not prepare a Certificate of Release when he uncuffed and released the complainant. A preponderance of the evidence proved that the named officer failed to take action required by the Department.

**SUMMARY OF ALLEGATION #:**

**CATEGORY OF CONDUCT:**      **FINDING:**      **DEPT. ACTION:**

**FINDINGS OF FACT:**

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 07/29/10    **DATE OF COMPLETION:** 06/02/11    **PAGE#** 1 of 1

**SUMMARY OF ALLEGATIONS #1 & 2:** The officers failed to write an accurate report.

**CATEGORY OF CONDUCT:** ND    **FINDING:** U    **DEPT. ACTION:**

**FINDINGS OF FACT:** The complainant (suspect) denied committing a robbery. He stated the two victims mistakenly identified him as the robber, and the investigating officers deliberately misstated information provided by two female passengers who were riding with the suspect at the time of his arrest. The officers denied writing a false and inaccurate report. The officers stated they followed the law and applicable police procedures when they interviewed witnesses. The officers recorded the interviews, advised the two female passengers of their Miranda Rights, and did not make any promises or threats to the females. One of the female passengers was interviewed while the other female did not respond to phone calls or a letter sent to her address of record. The one female witness, who was interviewed by the OCC, admitted she made certain statements to officers, but alleged she felt threatened by the officers' questioning and provided statements of what she thought the officers wanted to hear. The complainant later pled guilty in court. The evidence proved that the act alleged in the complaint did not occur.

**SUMMARY OF ALLEGATION #3:** The officer displayed inappropriate behavior and made inappropriate comments.

**CATEGORY OF CONDUCT:** CRD    **FINDING:** NS    **DEPT. ACTION:**

**FINDINGS OF FACT:** The complainant alleged the officer, while investigating a robbery, pressured and coerced one of the witnesses into changing her initial statement and making a false statement against him. The officer stated he followed the law and applicable police procedures when he interviewed the witness. The officer recorded the interview, advised the witness of her Miranda Rights, and did not make any promises or threats to her. The witness did not respond to phone calls or a letter sent to her address of record. The complainant later pled guilty in court. There is insufficient evidence to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 08/09/10 **DATE OF COMPLETION:** 06/10/11 **PAGE#** 1 of 7

**SUMMARY OF ALLEGATION #1:** The officer failed to write an incident report.

**CATEGORY OF CONDUCT:** ND **FINDING:** NS **DEPT. ACTION:**

**FINDINGS OF FACT:** The complainant did not respond to the OCC requests for an interview, but wrote that she walked into a police station to file a report of a man threatening her with a taser. According to the complainant, the officer told her that no crime had been committed and refused to write a police report. The officer denied the allegation and stated the complainant accused her of using a taser on her. A witness inside the station could neither prove nor disprove the allegation. There is insufficient evidence to either prove or disprove the allegation.

**SUMMARY OF ALLEGATION #2:** The officer detained the complainant without justification.

**CATEGORY OF CONDUCT:** UA **FINDING:** PC **DEPT. ACTION:**

**FINDINGS OF FACT:** The complainant said she was upset with the station duty officer who refused to take her report. The complainant said an officer detained her outside the station based on a false accusation that she was throwing bottles at people. The officer stated he detained the complainant to assess her mental well being, because she was seen late at night in a lane of traffic, stopping traffic with her hands. A witness stated that two paramedics near the police station reported the complainant throwing bottles at passing cars. Another witness inside the station could not verify or deny the complainant was detained. The preponderance of the evidence established there were multiple reports about the complainant's behavior, which coupled with the complainant's history of public intoxication and questionable mental health, gave the detaining officer reasonable suspicion to detain her. Therefore, the officer's detention was reasonable, lawful and proper.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 08/09/10 **DATE OF COMPLETION:** 06/10/11 **PAGE#** 2 of 7

**SUMMARY OF ALLEGATION #3-4:** The officers handcuffed the complainant without justification.

**CATEGORY OF CONDUCT:** UA **FINDING:** NS **DEPT. ACTION:**

**FINDINGS OF FACT:** The complainant did not respond to the OCC requests for an interview. The evidence established that the complainant was detained and taken into a police station. However, both named officers gave conflicting statements regarding how the complainant was maintained in custody and for how long. Two other witnesses inside the police station could neither prove nor disprove the allegation. There is insufficient evidence to either prove or disprove the allegation against either officer.

**SUMMARY OF ALLEGATION #5:** The officer used profane language.

**CATEGORY OF CONDUCT:** D **FINDING:** NS **DEPT. ACTION:**

**FINDINGS OF FACT:** The officer denied the allegation. There was no independent witness to either prove or disprove the allegation. There is insufficient evidence to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 08/09/10 **DATE OF COMPLETION:** 06/10/11 **PAGE#** 3 of 7

**SUMMARY OF ALLEGATION #6:** The officer arrested the complainant without cause.

**CATEGORY OF CONDUCT:** UA **FINDING:** PC **DEPT. ACTION:**

**FINDINGS OF FACT:** The officer stated he observed the complainant dump garbage and knew of her history committing the same offense in the neighborhood. A witness who reported the complainant dumping garbage and signed a citizen's arrest form and confirmed the complainant was the suspect in question and that she had previously committed the same offense at the same location. The officer also photographed physical evidence of the garbage left by the complainant outside the container in question. The officer's actions were lawful and proper.

**SUMMARY OF ALLEGATION #7:** The officer searched a person without cause.

**CATEGORY OF CONDUCT:** UA **FINDING:** PC **DEPT. ACTION:**

**FINDINGS OF FACT:** The complainant stated that the officer searched her incident to her arrest in the presence of another officer and the reportee, who accused her of dumping garbage from City containers into the street. The officer stated that he conducted a transportation search pursuant to a directive by his supervisor, who confirmed the search was incident to the complainant's arrest. Department policy dictates that all persons subject to custodial arrest shall be searched prior to being transported to a custodial setting. The officer's actions were lawful and proper.



**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 08/09/10 **DATE OF COMPLETION:** 06/10/11 **PAGE#** 4 of 7

**SUMMARY OF ALLEGATION #8:** The officer conducted an inappropriate search.

**CATEGORY OF CONDUCT:** UA **FINDING:** NS **DEPT. ACTION:**

**FINDINGS OF FACT:** The complainant alleged the officer inappropriately put his hand down her blouse and inside her brassiere during a search incident to her arrest. The officer denied the allegation, but two witnesses on scene gave conflicting statements about the search. There is insufficient evidence to either prove or disprove the allegation.

**SUMMARY OF ALLEGATION #9:** The officer used excessive force during the arrest.

**CATEGORY OF CONDUCT:** UF **FINDING:** U **DEPT. ACTION:**

**FINDINGS OF FACT:** The complainant alleged the officer shoved her to the ground during her arrest. The officer and two witnesses on scene denied the allegation. The preponderance of the evidence proved that the acted alleged did not occur.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 08/09/10 **DATE OF COMPLETION:** 06/10/11 **PAGE#** 5 of 7

**SUMMARY OF ALLEGATION #10:** The officer handcuffed the complainant without justification.

**CATEGORY OF CONDUCT:** UA **FINDING:** PC **DEPT. ACTION:**

**FINDINGS OF FACT:** The complainant did not respond to the OCC requests for an interview, but alleged that the officer handcuffed her without justification. The preponderance of the evidence established the complainant was under arrest at the time she was handcuffed. The officer's actions were therefore proper and consistent with department requirements. The officer's actions were lawful and proper.

**SUMMARY OF ALLEGATION #11:** The officer's behavior was inappropriate.

**CATEGORY OF CONDUCT:** CRD **FINDING:** U **DEPT. ACTION:**

**FINDINGS OF FACT:** The complainant did not respond to the OCC requests for an interview, but alleged that the officer pulled papers from the garbage container and threw them to the ground before taking pictures of the scene where she allegedly had dumped garbage. The officer and two witnesses on scene denied the allegation. The preponderance of the evidence proved the act alleged did not occur.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 08/09/10 **DATE OF COMPLETION:** 06/10/11 **PAGE#** 6 of 7

**SUMMARY OF ALLEGATION #12:** The officers displayed a firearm without justification.

**CATEGORY OF CONDUCT:** UA **FINDING:** U **DEPT. ACTION:**

**FINDINGS OF FACT:** The complainant did not respond to the OCC requests for an interview, but alleged the officer drew and aimed his firearm while threatening her. The officer and two witnesses on scene denied the allegation. A preponderance of the evidence proved that the acts alleged did not occur.

**SUMMARY OF ALLEGATION #13:** The officer used threatening and inappropriate comments and behavior.

**CATEGORY OF CONDUCT:** CRD **FINDING:** U **DEPT. ACTION:**

**FINDINGS OF FACT:** The complainant did not respond to the OCC requests for an interview, but alleged that the officer used threatening and inappropriate language and behavior toward her during her arrest. The officer and two witnesses on scene denied the officer drew his firearm at any time or threatened the complainant as alleged. A preponderance of the evidence proved that the acts alleged did not occur.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 08/09/10 **DATE OF COMPLETION:** 06/10/11 **PAGE#7** of 7

**SUMMARY OF OCC ADDED ALLEGATION #1:** The officer failed to comply with Department standards for interaction with a transgender individual.

**CATEGORY OF CONDUCT:** ND **FINDING:** S **DEPT. ACTION:**

**FINDINGS OF FACT:** The officer admitted that he did not comply with department standards by repeatedly referring to the complainant in the report as a male despite the fact that he had prior contacts with and was fully aware that the complainant was a male-to-female transgender individual. The officer's actions violated Department policy delineated in DB 09-218. and DGO 2.01.

**SUMMARY OF ALLEGATION #:**

**CATEGORY OF CONDUCT:** **FINDING:** **DEPT. ACTION:**

**FINDINGS OF FACT:**

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 08/09/10      **DATE OF COMPLETION:** 06/28/11      **PAGE#** 1 of 1

**SUMMARY OF ALLEGATION #1:** The officer used unnecessary force.

**CATEGORY OF CONDUCT:** UF      **FINDING:** NS      **DEPT. ACTION:**

**FINDINGS OF FACT:** The complainant filed his complaint more than one year after an incident occurred by which he was arrested and convicted for drunk driving. The incident involved the complainant being admittedly drunk; however, he could not remember whether he was driving or walking when officers initially arrested him. While he was sitting in the holding cell at the police station, he complained to officers of being cold and requested a blanket. Officers ignored his request; so, he banged his head against the glass windowpane to get their attention. He alleged that instead of granting his request for something warm, an officer came inside the cell and beat him. The complainant provided only a vague description of the officer. The complainant was later transported to the County Jail where the triage nurse examined him, and only saw a small abrasion on the complainant's left hand. The complainant was then processed for intake and sent to the sobering cell. The station keeper and other officers were interviewed, but had no recollection of this incident. Because of the complainant's admitted drunken behavior and memory lapse, the complainant was unable to describe with particularity the officer who allegedly beat him. There is insufficient evidence to identify any officer and to either prove or disprove the allegation.

**SUMMARY OF OCC ADDED ALLEGATION #1:** The officer failed to take the required action.

**CATEGORY OF CONDUCT:** ND      **FINDING:** PC      **DEPT. ACTION:**

**FINDINGS OF FACT:** Records maintained by the Department indicate the station keeper performed the required checks on the complainant while the complainant was being held in the lock-up of the police station. The evidence proved that the acts, which provided the basis for the allegation, occurred; however, such acts were justified, lawful and proper.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 08/10/10    **DATE OF COMPLETION:** 06/23/11    **PAGE#** 1 of 5

**SUMMARY OF ALLEGATION #1:** The officer failed to take required action.

**CATEGORY OF CONDUCT:** ND    **FINDING:** U    **DEPT. ACTION:**

**FINDINGS OF FACT:** The complainant alleged that an Incident Report was not prepared. An incident report was prepared. The evidence proved that the act alleged in the complaint did not occur.

**SUMMARY OF ALLEGATION #2:** The officer failed to take required action.

**CATEGORY OF CONDUCT:** ND    **FINDING:** NS    **DEPT. ACTION:**

**FINDINGS OF FACT:** The officer did not recall having any contact with the complainant. There were no identified witnesses. There was insufficient evidence to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 08/10/10    **DATE OF COMPLETION:** 06/23/11    **PAGE#** 2 of 5

**SUMMARY OF ALLEGATION #3:** The officer made inappropriate comments and behaved in an inappropriate manner.

**CATEGORY OF CONDUCT:** CRD      **FINDING:** NS      **DEPT. ACTION:**

**FINDINGS OF FACT:** The officer denied behaving in the alleged manner. There were no witnesses to the telephone conversation. There was insufficient evidence to either prove or disprove the allegation.

**SUMMARY OF ALLEGATION #4:** The officer failed to return a phone call in a timely manner.

**CATEGORY OF CONDUCT:** CRD      **FINDING:** NS      **DEPT. ACTION:**

**FINDINGS OF FACT:** The officer denied the allegation. There was insufficient evidence to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 08/10/10    **DATE OF COMPLETION:** 06/23/11    **PAGE#** 3 of 5

**SUMMARY OF ALLEGATION #5:** The officer behaved rudely toward the complainant.

**CATEGORY OF CONDUCT:** CRD      **FINDING:** U      **DEPT. ACTION:**

**FINDINGS OF FACT:** The complainant identified the officer by name. The officer reported that he was off-watch on the date in question. The Personnel Schedule of the SFPD documents that the named member was "H" (Home) on the date of the incident. There is no other officer by the purported name assigned to the watch and station in question. The evidence supports a finding that the named member was misidentified. The evidence proves that the member was not involved in the behavior alleged.

**SUMMARY OF ALLEGATION #6:** The officer made inappropriate comments.

**CATEGORY OF CONDUCT:** CRD      **FINDING:** NS      **DEPT. ACTION:**

**FINDINGS OF FACT:** The complainant said the officers entered her home and made inappropriate comments. The officer denied making one of the alleged comments and the second comment does not rise to the level of misconduct. There were no witnesses. There was insufficient evidence to either prove or disprove the allegation.



**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 08/10/10    **DATE OF COMPLETION:** 06/23/11    **PAGE#** 4 of 5

**SUMMARY OF ALLEGATION #7:** The officer conducted herself in an inappropriate manner.

**CATEGORY OF CONDUCT:** CRD      **FINDING:** NS      **DEPT. ACTION:**

**FINDINGS OF FACT:** The complainant said while talking to the officer on the telephone, the officer hung up on her. The officer denied the allegation. There were no witnesses. There was insufficient evidence to either prove or disprove the allegation.

**SUMMARY OF ALLEGATION #8:** The officer failed to take required action.

**CATEGORY OF CONDUCT:** ND      **FINDING:** NS      **DEPT. ACTION:**

**FINDINGS OF FACT:** The complainant said she told officers that she wanted to make a Citizen's Arrest. The named member denied that the complainant requested a Citizen's Arrest. An officer identified as having been at the location did not recall having any contact with the complainant. The named member said an officer drove by but did not get out of her marked unit. There was insufficient evidence to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 08/10/10    **DATE OF COMPLETION:** 06/23/11    **PAGE#** 5 of 5

**SUMMARY OF ALLEGATION #9:** The officer conducted himself in an inappropriate manner.

**CATEGORY OF CONDUCT:** CRD      **FINDING:** NS      **DEPT. ACTION:**

**FINDINGS OF FACT:** The complainant said when she went to the station to file a supplemental report, the named member made her wait three hours for assistance. The named member did not recall interacting with the complainant. There were no other identified witnesses. There was insufficient evidence to either prove or disprove the allegation.

**SUMMARY OF ALLEGATION #10:** The officer made inappropriate comments and behaved inappropriately.

**CATEGORY OF CONDUCT:** CRD      **FINDING:** NS      **DEPT. ACTION:**

**FINDINGS OF FACT:** The named member denied making the alleged comments or behaving in the alleged manner. An identified witness officer did not recall the incident. There were no other witnesses. There was insufficient evidence to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 08/17/10    **DATE OF COMPLETION:** 06/29/11    **PAGE#** 1 of 1

**SUMMARY OF ALLEGATION #1:** The officer failed to take required action.

**CATEGORY OF CONDUCT:** ND      **FINDING:** NF      **DEPT. ACTION:**

**FINDINGS OF FACT:** The complainant stated the officer refused to take a report and investigate her claim of an assault. The officer is no longer available and is not subject to Department discipline.

**SUMMARY OF OCC ADDED ALLEGATION #1:** The officer failed to comply with DB 10-208.

**CATEGORY OF CONDUCT:** ND      **FINDING:** NF      **DEPT. ACTION:**

**FINDINGS OF FACT:** When the officer prepared the incident report he assigned the case to the incorrect unit. The officer is no longer available and is not subject to Department discipline.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 08/19/10    **DATE OF COMPLETION:** 06/01/11    **PAGE#** 1 of 3

**SUMMARY OF ALLEGATION #1:** The officer detained the complainant without justification.

**CATEGORY OF CONDUCT:** UA      **FINDING:** PC      **DEPT. ACTION:**

**FINDINGS OF FACT:** The complainant stated that she was exiting a Municipal Railway platform where an officer was asking passengers for proof of fare payment. The complainant began to walk past the officer while looking for her transfer. The officer asked the complainant to show him her proof of payment. As the complainant walked past him, the officer grabbed the complainant by the arm in an attempt to detain her. A witness officer stated that he heard the named officer repeatedly ask the complainant to stop and that he saw the complainant walk past the officer. The named officer stated that he detained the complainant because she ignored his repeated requests for proof of payment. The evidence established that the named officer was justified in detaining the complainant to ascertain whether she had proof of fare payment. The evidence proved that the acts which provided the basis for the allegation occurred; however, such acts were justified, lawful and proper.

**SUMMARY OF ALLEGATION #2:** The officer arrested the complainant without cause.

**CATEGORY OF CONDUCT:** UA      **FINDING:** PC      **DEPT. ACTION:**

**FINDINGS OF FACT:** The complainant stated that she was exiting a Municipal Railway platform where an officer was asking passengers for proof of fare payment. The complainant began to walk past the officer while looking for her transfer. The officer asked the complainant to show him her proof of payment. As the complainant walked past him, the officer grabbed the complainant by the arm in an attempt to detain her. The complainant stated that she attempted to pull away from him. A second officer grabbed the complainant by the arm and she attempted to pull away from him and struck him several times with her fist. The named officer stated that he attempted to detain the complainant because she ignored his repeated requests for proof of payment as she was exiting a Municipal Railway platform. The named officer stated the complainant attempted to pull away from him. A witness officer confirmed that the complainant resisted when the named officer attempted to detain her. The evidence proved that the acts which provided the basis for the allegation occurred; however, such acts were justified, lawful and proper.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 08/19/10    **DATE OF COMPLETION:** 06/01/11    **PAGE#** 2 of 3

**SUMMARY OF ALLEGATION #3:** The officer used unnecessary force on the complainant.

**CATEGORY OF CONDUCT:** UF      **FINDING:** PC      **DEPT. ACTION:**

**FINDINGS OF FACT:** The complainant stated that she was exiting a Municipal Railway platform when an officer attempted to detain her by grabbing her arm. The complainant resisted. A second officer grabbed the complainant who attempted to pull away from him and struck him several times with her fist. This officer tightly grasped the complainant's wrist as she resisted her and as her brother and a woman in a crowd that gathered tried to free her. When the officer swung her to the ground and attempted to handcuff her, the complainant continued to resist. The complainant agreed to sign a release form to allow the OCC to obtain her medical records but never returned the signed form.

The complainant's brother stated that the named officer grasped his sister's wrist as she resisted and that he tried to pull her away. The complainant's uncle said the complainant tried to pull away from the officer.

The named officer said he assisted an officer attempting to detain the complainant for fare evasion. He said that as he grasped the complainant's wrist, she attempted to pull away and struck him repeatedly with her fist, and her brother attempted to free her. A backup officer helped take the complainant to the ground which resulted in a controlled fall. The named officer denied using any other force on the complainant.

A witness officer said the only force he saw the named officer use on the complainant was grabbing her arm. Another witness officer said she saw the named officer struggling with the complainant and attempting to gain control of her arms. This witness used a foot sweep to take the complainant to the ground, where she continued to resist.

The evidence established that the only force the named officer used on the complainant was grasping her wrist and assisting with a foot-sweep takedown of the complainant. The evidence also established that the complainant vigorously resisted the named officer's attempt to detain and arrest her, that she assaulted the officer, that the complainant's brother attempted to wrest the complainant away from the named officer, and that a large and hostile crowd quickly gathered and surrounded the officers. The evidence proved that the force used was justified under the circumstances and that the acts which provided the basis for the allegation occurred; however, such acts were justified, lawful and proper.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 08/19/10    **DATE OF COMPLETION:** 06/01/11    **PAGE#** 3 of 3

**SUMMARY OF ALLEGATION #4:** The officer made an inappropriate statement.

**CATEGORY OF CONDUCT:** CRD      **FINDING:** NS      **DEPT. ACTION:**

**FINDINGS OF FACT:** The complainant stated that the officer made an inappropriate statement about her baby, including the use of a profane word. The complainant's bother, who was present at the scene, said he heard the officer use the profane word in the context described by the complainant. The complainant's uncle, who was also present at the scene, stated that he did not hear the named officer use profanity of say anything about the complainant's baby. The named officer denied making the inappropriate statement. A witness officer denied that the named officer made the inappropriate statement. There is insufficient evidence to prove or disprove the allegation.

**SUMMARY OF ALLEGATION #:**

**CATEGORY OF CONDUCT:**                      **FINDING:**                      **DEPT. ACTION:**

**FINDINGS OF FACT:**

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 08/20/10    **DATE OF COMPLETION:** 06/28/11    **PAGE#** 1 of 1

**SUMMARY OF ALLEGATION #1:** The officer failed to receive a citizen's arrest.

**CATEGORY OF CONDUCT:** ND    **FINDING:** U    **DEPT. ACTION:**

**FINDINGS OF FACT:** The complainant alleged that a Municipal Railway (Muni) employee assaulted him on a cable car for no apparent reason. The complainant requested the assistance of police officers, who responded to the alleged incident. The complainant said he requested the officer make a citizen's arrest of the Muni employee. Documents requested as a result of the OCC investigation into allegations of misconduct against the officer disclosed the officer did prepare forms necessary for a citizen's arrest, and the complainant signed the citizen's arrest form. The evidence proved that the act alleged in the complaint did not occur.

**SUMMARY OF ALLEGATION #2:** The officer intimidated the complainant.

**CATEGORY OF CONDUCT:** CRD    **FINDING:** NS    **DEPT. ACTION:**

**FINDINGS OF FACT:** The complainant alleged the officer attempted to dissuade the complainant from making a citizen's arrest of a Muni employee who allegedly assaulted the complainant. The officer allegedly told the complainant that he did not have a case against the employee; the complaint against the employee was not going anywhere; the Muni employee had witnesses while the complainant had none; and if the Muni employee pressed charges against the complainant, the complainant would be lucky to get off with a misdemeanor. The officer denied making these statements to the complainant. No independent witnesses were developed to corroborate the complainant's allegations. There is insufficient evidence to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 08/23/10    **DATE OF COMPLETION:** 06/21/11    **PAGE#** 1 of 2

**SUMMARY OF ALLEGATION #1:** The officer's demeanor was threatening and inappropriate.

**CATEGORY OF CONDUCT:** CRD    **FINDING:** NS    **DEPT. ACTION:**

**FINDINGS OF FACT:** The officer denied the allegation. There was no witness to either prove or disprove the allegation. There is insufficient evidence to either prove or disprove the allegation.

**SUMMARY OF OCC ADDED ALLEGATION #1:** The officer failed to record E585 Traffic Stop Data required by Department regulations.

**CATEGORY OF CONDUCT:** ND    **FINDING:** S    **DEPT. ACTION:**

**FINDINGS OF FACT:** The officer stated he believed he made the required entry. Department records establish that the officer failed to record the E585 Traffic Stop Data entry required by Department regulations.



**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 08/23/10    **DATE OF COMPLETION:** 06/21/11    **PAGE#** 2 of 2

**SUMMARY OF OCC ADDED ALLEGATION #2:** The officer failed to maintain contact with headquarters.

**CATEGORY OF CONDUCT:** ND      **FINDING:** S      **DEPT. ACTION:**

**FINDINGS OF FACT:** The officer believed he maintained contact with headquarters during the traffic stop. Department of Emergency Management audio recordings established the officer failed to maintain contact with headquarters during the traffic stop in violation of DGO 1.03 I.A.1 (b) & (d).

**SUMMARY OF ALLEGATION #:**

**CATEGORY OF CONDUCT:**                      **FINDING:**                      **DEPT. ACTION:**

**FINDINGS OF FACT:**

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 08/25/10      **DATE OF COMPLETION:** 06/23/11      **PAGE #1** of 3

**SUMMARY OF ALLEGATION #1:** The officer handcuffed the complainant without justification.

**CATEGORY OF CONDUCT:** UA      **FINDING:** PC      **DEPT. ACTION:**

**FINDINGS OF FACT:** The complainant stated the officer handcuffed him without justification. The officer stated she observed the complainant fighting with another man and she and other officers went to the scene to investigate the fight. Handcuffing the complainant was necessary for officer safety as well as pursuant to Department policy. The evidence proved that the acts which provided the basis for the allegation occurred; however, such acts were justified, lawful, and proper.

**SUMMARY OF ALLEGATION #2:** The officer searched the complainant without cause.

**CATEGORY OF CONDUCT:** UA      **FINDING:** PC      **DEPT. ACTION:**

**FINDINGS OF FACT:** The complainant stated the officer searched him without cause. The officer stated she observed the complainant fighting with another man and she and other officers went to the scene to investigate the fight. Searching the complainant was necessary for officer safety as well as pursuant to Department policy. The evidence proved that the acts which provided the basis for the allegation occurred; however, such acts were justified, lawful, and proper.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 08/25/10      **DATE OF COMPLETION:** 06/23/11      **PAGE #2 of 3**

**SUMMARY OF ALLEGATION #3:** The officer arrested the complainant without cause.

**CATEGORY OF CONDUCT:** UA      **FINDING:** NS      **DEPT. ACTION:**

**FINDINGS OF FACT:** The complainant, a 14-year-old juvenile, stated that the officer arrested him without cause and did not arrest the 19-year-old adult who had initiated the fight. The officer stated she observed the complainant and the other individual squaring off to fight. The officer acknowledged that the other individual punched the complainant and that the officer observed that the complainant had visual injuries. The officer stated that she had not known how the fighting had originated. There was insufficient evidence to either prove or disprove the allegation made in the complaint.

**SUMMARY OF ALLEGATION #4:** The officer displayed inappropriate behavior and made inappropriate comments.

**CATEGORY OF CONDUCT:** CRD      **FINDING:** NS      **DEPT. ACTION:**

**FINDINGS OF FACT:** The complainant stated the officer displayed inappropriate behavior and made inappropriate comments during the incident. The officer denied the allegation. There were no independent witnesses to this incident. There was insufficient evidence to either prove or disprove the allegation made in the complaint.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 08/25/10      **DATE OF COMPLETION:** 06/23/11      **PAGE #3** of 3

**SUMMARY OF ALLEGATION #5:** The officer failed to comply with DGO 7.01.

**CATEGORY OF CONDUCT:** ND      **FINDING:** S      **DEPT. ACTION:**

**FINDINGS OF FACT:** The co-complainant stated that although the officer informed her that her son had been arrested, the officer did not tell her that her son had been injured and would be transported by ambulance to the hospital before being taken to the Community Assessment and Referral Center (CARC). The officer stated that when she first contacted the co-complainant, she was unaware of the complainant's injuries, and thus told the co-complainant that her son would be taken to CARC. Upon noticing that the co-complainant was bleeding and had a bump on his head, the officer summoned an ambulance that transported the complainant to SFGH for medical clearance. The officer stated she did not feel it was necessary to contact the juvenile's mother again because she had already contacted her and informed her of the arrest. DGO 7.01 states in the event of an emergency medical situation, an ambulance should be summoned immediately. DGO 7.01 also requires members to notify the juvenile's parent, legal guardian, or responsible person in the event of a serious illness or injury. The officer determined that the complainant's injuries were significant enough to require an ambulance and thus, was required to provide parental notification concerning her son's need for medical assistance and services. A preponderance of the evidence proved that the conduct complained of did occur; and that using as a standard the applicable regulations of the Department, the conduct was improper.

**SUMMARY OF ALLEGATIONS #6-8:** The officers failed to take the required action.

**CATEGORY OF CONDUCT:** ND      **FINDING:** PC      **DEPT. ACTION:**

**FINDINGS OF FACT:** The juvenile complainant stated that the adult male who had punched him was not arrested for the offense. The officers stated they observed two individuals squaring off with each other to fight and saw the adult male hit the juvenile complainant. The officers stated that they did not see the initial contact between the juvenile complainant and the adult male and the juvenile complainant would not talk with the officers about the incident. The adult male had proper identification and was cited to appear in court on a misdemeanor battery charge. The complainant, due to his status as a juvenile and being injured, was transported first to the hospital and then to the Community Assessment and Referral Center as is required by DGO 7.01. The evidence proved that the acts which provided the basis for the allegation occurred; however, such acts were justified, lawful, and proper.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 08/25/10    **DATE OF COMPLETION:** 06/16/11    **PAGE # 1 of 2**

**SUMMARY OF ALLEGATION # 1:** The officer handcuffed the complainant without cause.

**CATEGORY OF CONDUCT:**    UA    **FINDING:**    PC    **DEPT. ACTION:**

**FINDINGS OF FACT:** The complainant said the officer handcuffed him and had him sit down. The officer stated he responded to a call of violence against a child, but the complainant disobeyed his command to step out of the room twice, so he placed him in handcuffs in order to continue with his investigation. The officer had reasonable suspicion to detain the complainant. The evidence proved the acts that formed the basis for the allegations occurred, but that such acts were justified, lawful and proper.

**SUMMARY OF ALLEGATION #2:** The officer made inappropriate comments and exhibited inappropriate behavior.

**CATEGORY OF CONDUCT:**    CRD    **FINDING:**    NS    **DEPT. ACTION:**

**FINDINGS OF FACT:** The complainant stated that the officer was confrontational, aggressive, and intimidating. The witness statements were different in what was said, however, one witness admitted that she was hysterical and ready to get arrested but the officer was trying to ignore her. The officer admitted to raising his voice because one witness was loud and yelling and he was trying to conduct an investigation and was not getting cooperation. There were no other witnesses. There is insufficient evidence to prove or disprove the allegation that the officer's behavior was inappropriate given the circumstances in the incident.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 08/27/10    **DATE OF COMPLETION:** 06/16/11    **PAGE # 2 of 2**

**SUMMARY OF OCC ADDED ALLEGATION # 1:** The officer failed to issue a certificate of release.

**CATEGORY OF CONDUCT:** ND            **FINDING:** NS            **DEPT. ACTION:**

**FINDINGS OF FACT:** The officer stated he issued a Certificate of Release to the complainant. The Department was unable to locate a copy of the Certificate of Release. The witnesses did not see the officer issue the complainant any paperwork. There is insufficient evidence to prove or disprove the allegation.

**SUMMARY OF ALLEGATION #:**

**CATEGORY OF CONDUCT:**            **FINDING:**            **DEPT. ACTION:**

**FINDINGS OF FACT:**

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 09/01/10    **DATE OF COMPLETION:** 06/17/11    **PAGE#** 1 of 3

**SUMMARY OF ALLEGATION #1:** The officer detained the complainant without justification.

**CATEGORY OF CONDUCT:** UA    **FINDING:** NS    **DEPT. ACTION:**

**FINDINGS OF FACT:** The complainant alleged that the officer detained him without justification. The complainant, who is a limousine operator, stated that he was parked and waiting for a passenger that requested a service pick up when the officer contacted him for no reason. The officer denied the allegation. The officer stated that he was behind the complainant who was traveling Northbound on Embarcadero Street when he noticed the complainant not wearing a seatbelt. No witnesses came forward. There was insufficient evidence to either prove or disprove the allegation.

**SUMMARY OF ALLEGATION #2:** The officer issued the complainant a citation without cause.

**CATEGORY OF CONDUCT:** UA    **FINDING:** NS    **DEPT. ACTION:**

**FINDINGS OF FACT:** The evidence shows that the complainant was cited for not wearing a seatbelt and for having no proof of insurance. The complainant stated the citation was a fabrication used to cover up the detention. The complainant further stated the officer did not give him time to retrieve his insurance documents. The officer denied the allegation. No witnesses came forward. There was insufficient evidence to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 09/01/10   **DATE OF COMPLETION:** 06/17/11   **PAGE#** 2 of 3

**SUMMARY OF ALLEGATION #3:** The officer made inappropriate comments.

**CATEGORY OF CONDUCT:**   CRD   **FINDING:**   NS   **DEPT. ACTION:**

**FINDINGS OF FACT:** The complainant alleged the officer made inappropriate comments. The complainant said the officer made comments about his medical condition that humiliated him and accused him of having no driver's license or having a fake one. The officer denied the allegation. No witnesses came forward. There was insufficient evidence to either prove or disprove the allegation.

**SUMMARY OF ALLEGATION #4:** The officer engaged in biased policing due to the complainant's ethnicity.

**CATEGORY OF CONDUCT:**   CRD   **FINDING:**   NS   **DEPT. ACTION:**

**FINDINGS OF FACT:** The complainant alleged the officer discriminated against him because of his accent. The complainant said that because of his accent, the officer was assuming that he did not have a valid driver's license. The officer denied the allegation. The officer was interviewed and questioned in accordance with the OCC's biased policing protocol. No witnesses came forward. There was insufficient evidence to either prove or disprove the allegation.



**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 09/01/10    **DATE OF COMPLETION:** 06/17/11    **PAGE#** 3 of 3

**SUMMARY OF OCC ADDED ALLEGATION #1:** The officer failed to comply with DB 08-268.

**CATEGORY OF CONDUCT:** ND    **FINDING:** PC    **DEPT. ACTION:**

**FINDINGS OF FACT:** The evidence shows that the officer made an E585 Traffic Stop entry about the contact. The evidence proved that the act, which provided the basis for the allegation, occurred. However, such act was justified, lawful, and proper.

**SUMMARY OF ALLEGATION #:**

**CATEGORY OF CONDUCT:**                      **FINDING:**                      **DEPT. ACTION:**

**FINDINGS OF FACT:**

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 09/07/10      **DATE OF COMPLETION:** 06/13/11      **PAGE #1 of 2**

**SUMMARY OF ALLEGATION #1:** The officer issued a citation without cause.

**CATEGORY OF CONDUCT:** UA      **FINDING:** NS      **DEPT. ACTION:**

**FINDINGS OF FACT:** The complainant stated he was cited without cause. The officer stated she observed the complainant illegally purchase a MUNI transfer. The witness officer did not observe the transfer purchase. There were no independent witnesses to this incident. There was insufficient evidence to either prove or disprove the allegation made in the complaint.

**SUMMARY OF ALLEGATION #2:** The officer used profanity.

**CATEGORY OF CONDUCT:** D      **FINDING:** NS      **DEPT. ACTION:**

**FINDINGS OF FACT:** The complainant stated the officer used profanity. The officer denied the allegation. The witness officer did not hear the officer use profanity. There were no independent witnesses to this incident. There was insufficient evidence to either prove or disprove the allegation made in the complaint.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 09/07/10      **DATE OF COMPLETION:** 06/13/11      **PAGE #2 of 2**

**SUMMARY OF ALLEGATION #3:** The officer was biased due to race.

**CATEGORY OF CONDUCT:** CRD      **FINDING:** NS      **DEPT. ACTION:**

**FINDINGS OF FACT:** The complainant stated the reason he was cited was due to his ethnic background. The officer and the witness officer denied the allegation. There were no independent witnesses to this incident. There was insufficient evidence to either prove or disprove the allegation made in the complaint.

**SUMMARY OF ALLEGATION #:**

**CATEGORY OF CONDUCT:**      **FINDING:**      **DEPT. ACTION:**

**FINDINGS OF FACT:**

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 09/13/10      **DATE OF COMPLETION:** 06/10/11      **PAGE # 1 of 3**

**SUMMARY OF ALLEGATION #1-2:** The officers detained the complainant without cause.

**CATEGORY OF CONDUCT:** UA    **FINDING:** PC    **DEPT. ACTION:**

**FINDINGS OF FACT:** The complainant stated he is on probation with a search condition however, when he was detained he was not doing anything illegal. The officer recognized the complainant and had knowledge he was on probation with a search condition. The officer arrested the complainant and went to court on the case many times and new his plea bargain and conditions of probation. The complainant also stated he recognized the officer. Per case law, officers are permitted to detain someone on probation with a search condition without reasonable suspicion.

**SUMMARY OF ALLEGATION #3:** The officer searched the complainant without cause.

**CATEGORY OF CONDUCT:** UA    **FINDING:** PC    **DEPT. ACTION:**

**FINDINGS OF FACT:** The complainant stated he has a search condition however, when he was stopped he was not breaking the law. The officer recognized the complainant and had knowledge he was on probation with a search condition. The officer stated he arrested the complainant and went to court on the case many times and new his plea bargain and conditions of probation. The complainant also stated he recognized the officer. Per case law, officers are permitted to detain someone on probation with a search condition without reasonable suspicion.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 09/13/10      **DATE OF COMPLETION:** 06/10/11      **PAGE # 2 of 3**

**SUMMARY OF ALLEGATION #4:** The officer used profanity.

**CATEGORY OF CONDUCT:** D      **FINDING:** NS      **DEPT. ACTION:**

**FINDINGS OF FACT:** The officer denied the allegation. There were no witnesses. There is insufficient evidence to prove or disprove the allegation.

**SUMMARY OF ALLEGATION #5:** The officer behaved inappropriately.

**CATEGORY OF CONDUCT:** CRD      **FINDING:** NS      **DEPT. ACTION:**

**FINDINGS OF FACT:** The complainant stated he was embarrassed that the officer was discussing the deal he made in his case in public. The officer stated he refreshed the complainant's memory on the case because the complainant claimed not to know him. There is insufficient evidence to prove or disprove that the officer mentioned the case to embarrass the complainant in public.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 09/13/10      **DATE OF COMPLETION:** 06/10/11      **PAGE # 3 of 3**

**SUMMARY OF ALLEGATION #6:** The officer engaged in biased policing due to race.

**CATEGORY OF CONDUCT:** CRD      **FINDING:** NS      **DEPT. ACTION:**

**FINDINGS OF FACT:** The complainant did not believe that the officer still remembered him from his arrest in 2005 and believed he was stopped due to his race. The officer denied the allegation. The officer stated he had prior contacts with the complainant stemming from an arrest and extended court appearances. The officer was questioned in compliance with the OCC's biased policing protocols. There is insufficient evidence to prove or disprove the allegation.

**SUMMARY OF OCC ADDED ALLEGATION #1:** The officer failed to take required action.

**CATEGORY OF CONDUCT:** ND      **FINDING:** S      **DEPT. ACTION:**

**FINDINGS OF FACT:** The complainant stated he was handcuffed during the detention and was not issued any paper work upon his release. The officer stated he did not issue a certificate of release because the detention was brief, the complainant was handcuffed for less than a minute, and he was not moved. Per the officer's understanding of DGO 5.03 he stated he was not required to issue a certificate of release. The officer stated he did not prepare an Investigative Detention Report per Department Bulleting 10-182 for the same reasons as not preparing an 849b per DGO 5.03 and added that he did not know that the probation searches were included in DB 10-182. The officer failed to comply with DGO 5.03 and DB 10-182.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 09/16/10 **DATE OF COMPLETION:** 06/06/11 **PAGE #1** of 2

**SUMMARY OF ALLEGATION #1-2:** The officers detained the complainant without justification.

**CATEGORY OF CONDUCT:** UA **FINDING:** M **DEPT. ACTION:**

**FINDINGS OF FACT:** By mutual agreement of the complainant and the accused member, the complaint was mediated and resolved in a non-disciplinary manner on May 16, 2011.

**SUMMARY OF ALLEGATION #3-4:** The officer searched the complainant without cause.

**CATEGORY OF CONDUCT:** UA **FINDING:** M **DEPT. ACTION:**

**FINDINGS OF FACT:** By mutual agreement of the complainant and the accused member, the complaint was mediated and resolved in a non-disciplinary manner on May 16, 2011.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 09/16/10 **DATE OF COMPLETION:** 06/06/11 **PAGE #2** of 2

**SUMMARY OF ALLEGATION #5-6:** The officers issued an invalid order.

**CATEGORY OF CONDUCT:** UA **FINDING:** M **DEPT. ACTION:**

**FINDINGS OF FACT:** By mutual agreement of the complainant and the accused member, the complaint was mediated and resolved in a non-disciplinary manner on May 16, 2011.

**SUMMARY OF ALLEGATION #:**

**CATEGORY OF CONDUCT:** **FINDING:** **DEPT. ACTION:**

**FINDINGS OF FACT:**



**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 09/16/10 **DATE OF COMPLETION:** 06/16/11 **PAGE #1** of 2

**SUMMARY OF ALLEGATION #1:** The officer cited the complainant without cause.

**CATEGORY OF CONDUCT:** UA **FINDING:** NS **DEPT. ACTION:**

**FINDINGS OF FACT:** The complaint said he made a complete stop at a sign and that the officer was at a distance where he could not see the intersection where the stop is located. The officer stated he approached the intersection, had an unobstructed view, and oversaw that the complainant failed to make a complete stop at the sign in violation of Section 22450(a) of the California Vehicle Code. There were no witnesses to either prove or disprove the allegation. There is insufficient evidence to either prove or disprove the allegation.

**SUMMARY OF ALLEGATION #2:** The officer's behavior was inappropriate.

**CATEGORY OF CONDUCT:** CRD **FINDING:** NS **DEPT. ACTION:**

**FINDINGS OF FACT:** The complainant stated the officer behaved inappropriately throughout the citation process. The officer denied the allegation. There were no witnesses to their conversation. There is insufficient evidence to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 09/16/10    **DATE OF COMPLETION:** 06/16/11    **PAGE #2 of 2**

**OCC ADDED ALLEGATION:**

**SUMMARY OF ALLEGATION #1:** The officer failed to record E585 Traffic Stop Data required by Department regulations.

**CATEGORY OF CONDUCT:** ND            **FINDING:** S            **DEPT. ACTION:**

**FINDINGS OF FACT:** The officer stated that sometimes he does make the E585 entries and sometimes he does not. The preponderance of the evidence established that the officer did not make the required entries pursuant to DB 08-268.

**SUMMARY OF ALLEGATION #:**

**CATEGORY OF CONDUCT:**            **FINDING:**            **DEPT. ACTION:**

**FINDINGS OF FACT:**

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 09/28/10    **DATE OF COMPLETION:** 06/28/11    **PAGE#** 1 of 2

**SUMMARY OF ALLEGATIONS #1-2:** The officer's comments and behavior was inappropriate.

**CATEGORY OF CONDUCT:** CRD    **FINDING:** NS    **DEPT. ACTION:**

**FINDINGS OF FACT:** The complainant stated the officers lied about him being in possession of and selling narcotics to a plainclothes officer. The officers denied the allegation. There were no witnesses at the scene and no video recordings of the incident. There is insufficient evidence to either prove or disprove the allegations made in the complaint.

**SUMMARY OF ALLEGATIONS #3-4:** The officers used force on the complainant.

**CATEGORY OF CONDUCT:** UF    **FINDING:** NS    **DEPT. ACTION:**

**FINDINGS OF FACT:** The complainant stated the officer jumped on his back and tried to break his wrist. The complainant further said there were other officers that punched, kicked, and tried to pry open his mouth looking for narcotics. The named officer denied the allegation that he used excessive force. The officer said he grabbed the complainant from behind with a department approved control hold and both he and the complainant fell to the ground. Other officers on scene denied using force on the complainant. There were no witnesses at the scene and no video recordings of the incident. There is insufficient evidence to either prove or disprove the allegations made in the complaint.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 09/28/10    **DATE OF COMPLETION:** 06/28/11    **PAGE#** 2 of 2

**SUMMARY OF ALLEGATIONS #5-6:** The officers wrote an inaccurate and incomplete incident report.

**CATEGORY OF CONDUCT:** ND    **FINDING:** NS    **DEPT. ACTION:**

**FINDINGS OF FACT:** The complainant stated the officers lied in their police report about the complainant selling drugs and that the related evidence was his. The officers denied the allegation. The report was written by buy officers and reviewed by an Inspector. There were no witnesses at the scene and no video recordings of the incident. There is insufficient evidence to either prove or disprove the allegations made in the complaint.

**SUMMARY OF ALLEGATION #7:** The officer used profanity during the incident.

**CATEGORY OF CONDUCT:** D    **FINDING:** NS    **DEPT. ACTION:**

**FINDINGS OF FACT:** The complainant stated the officer used profanity after he was arrested on the scene. The officer denied the allegation and other officers on the scene did not hear any profanities used by any of them. There were no witnesses at the scene and no video recordings of the incident. There is insufficient evidence to either prove or disprove the allegation made in the complaint.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 09/29/10 **DATE OF COMPLETION:** 06/14/11 **PAGE#** 1 of 2

**SUMMARY OF ALLEGATION #1:** The officer used force during a detention.

**CATEGORY OF CONDUCT:** UF **FINDING:** NS **DEPT. ACTION:**

**FINDINGS OF FACT:** The complainant stated the officer grabbed him from behind. The officer that the complainant identified denied having any contact with the complainant. The identity of the alleged officer has not been established. There was insufficient evidence to either prove or disprove the allegation.

**SUMMARY OF ALLEGATION #2:** The officer harassed the complainant.

**CATEGORY OF CONDUCT:** CRD **FINDING:** NS **DEPT. ACTION:**

**FINDINGS OF FACT:** The complainant stated the officer harassed him. The officer that the complainant identified denied having any contact with the complainant. The identity of the alleged officer has not been established. There was insufficient evidence to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 09/29/10 **DATE OF COMPLETION:** 06/14/11 **PAGE#** 2 of 2

**SUMMARY OF ALLEGATION #3:** The officer detained the complainant without justification.

**CATEGORY OF CONDUCT:** UA **FINDING:** NS **DEPT. ACTION:**

**FINDINGS OF FACT:** The complainant stated the officer had no reason to detain him. The officer that the complainant identified denied having any contact with the complainant. The identity of the alleged officer has not been established. There was insufficient evidence to either prove or disprove the allegation.

**SUMMARY OF ALLEGATION #:**

**CATEGORY OF CONDUCT:** **FINDING:** **DEPT. ACTION:**

**FINDINGS OF FACT:**

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 10/01/10    **DATE OF COMPLETION:** 06/28/11    **PAGE #** 1 of 1

**SUMMARY OF ALLEGATION #1:** The officer exhibited inappropriate behavior.

**CATEGORY OF CONDUCT:** CRD      **FINDING:** PC      **DEPT. ACTION:**

**FINDINGS OF FACT:** The complainant stated the officer violated ethics rules by making a video while in police department uniform. The officer stated she came out to the parking lot at the Academy and spoke to several campaigners and news reporters. She informed them that she could not engage in any political activities nor endorse any issues while on duty and in uniform per SFPD policy. The officer stated that 1 or 2 days later she got a call that she was on the news in a video. She called the spokesman for Coalition for Civil Sidewalks, and informed him that she could not be in the video while on duty and in uniform and the video was pulled immediately. The officer then spoke to the Ethics Commission Director who looked into this incident and a case was not made against the captain. The witnesses corroborated the officer statement and one added that his team was not aware of the department's policy when they met with the captain. The investigation showed there were no violations of DGO 2.01 and DB 10-101 by the captain.

**SUMMARY OF ALLEGATION #:**

**CATEGORY OF CONDUCT:**                      **FINDING:**                      **DEPT. ACTION:**

**FINDINGS OF FACT:**

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 09/30/10 **DATE OF COMPLETION:** 06/23/11 **PAGE#** 1 of 1

**SUMMARY OF ALLEGATION #1:** The officer cited the complainant without cause.

**CATEGORY OF CONDUCT:** UA **FINDING:** PC **DEPT. ACTION:**

**FINDINGS OF FACT:** The complainant was cited for talking on his cell phone while driving. The complainant admitted talking on his cell phone while driving. The evidence proved that the act, which provided the basis for the allegation occurred. However, the act was justified, lawful, and proper.

**SUMMARY OF ALLEGATION #2:** The officer behaved inappropriately or made inappropriate comments.

**CATEGORY OF CONDUCT:** CRD **FINDING:** NS **DEPT. ACTION:**

**FINDINGS OF FACT:** The officer denied the allegation. No other witnesses came forward. There was insufficient evidence to either prove or disprove the allegation.



**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 10/01/10 **DATE OF COMPLETION:** 06/28/11 **PAGE#** 1 of 1

**SUMMARY OF ALLEGATION #1:** The officer detained the complainant without justification.

**CATEGORY OF CONDUCT:** UA **FINDING:** PC **DEPT. ACTION:**

**FINDINGS OF FACT:** The complainant was not present during this police response, but alleged that her process server was unjustifiably detained for a non-criminal matter. The process server stated the only reason he remained by his car outside the property was because his vehicle malfunctioned. Several police officers responded to a call requesting the removal of a process server from private property. The officers on scene reported that both parties of the scene said the unwanted person left the building simultaneous to the call for a police response. The supervising officer and other officers on scene stated the process server was free to leave. Under a totality of the circumstances standard, the evidence established that the conversations between police personnel and the process server did not amount to a detention as he was not handcuffed nor transported away from the scene. The officer's conduct was lawful and proper.

**SUMMARY OF ALLEGATION #2:** The officer's behavior and comments were inappropriate.

**CATEGORY OF CONDUCT:** CRD **FINDING:** NS **DEPT. ACTION:**

**FINDINGS OF FACT:** The complainant was not present during this police response, but stated her process server told her the named officer made inappropriate remarks in an unprofessional tone of voice. The officer did not believe he made the alleged remarks. Three other witnesses on scene denied they witnessed the officer's behavior or comments so there is insufficient evidence to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 10/04/10    **DATE OF COMPLETION:** 06/23/11    **PAGE#** 1 of 2

**SUMMARY OF ALLEGATION #1:** The officer used unnecessary force.

**CATEGORY OF CONDUCT:** UF      **FINDING:** NS      **DEPT. ACTION:**

**FINDINGS OF FACT:** The officer was never identified. No witnesses came forward. There was insufficient evidence to either prove or disprove the allegation.

**SUMMARY OF ALLEGATION #2:** The officer used profanity.

**CATEGORY OF CONDUCT:** D      **FINDING:** NS      **DEPT. ACTION:**

**FINDINGS OF FACT:** The officer was never identified. No witnesses came forward. There was insufficient evidence to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 10/04/10    **DATE OF COMPLETION:** 06/23/11    **PAGE#** 2 of 2

**SUMMARY OF ALLEGATION #3:** The officer failed to provide medical treatment.

**CATEGORY OF CONDUCT:** ND    **FINDING:** NS    **DEPT. ACTION:**

**FINDINGS OF FACT:** The officer was never identified. No witnesses came forward. There was insufficient evidence to either prove or disprove the allegation.

**SUMMARY OF ALLEGATION #:**

**CATEGORY OF CONDUCT:**    **FINDING:**    **DEPT. ACTION:**

**FINDINGS OF FACT:**

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 10/14/10 **DATE OF COMPLETION:** 06/23/11 **PAGE#** 1 of 1

**SUMMARY OF ALLEGATION #1:** The officer behaved inappropriately and made inappropriate comments.

**CATEGORY OF CONDUCT:** CRD **FINDING:** NS **DEPT. ACTION:**

**FINDINGS OF FACT:** The complainant alleged that the officer behaved inappropriately and made inappropriate comments. The officer denied the allegation. There was insufficient evidence to either prove or disprove the allegation.

**SUMMARY OF ALLEGATION #:**

**CATEGORY OF CONDUCT:** **FINDING:** **DEPT. ACTION:**

**FINDINGS OF FACT:**

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 10/25/10    **DATE OF COMPLETION:** 06/01/11    **PAGE#** 1 of 1

**SUMMARY OF ALLEGATION #1:** The officers searched the complainant's residence without cause.

**CATEGORY OF CONDUCT:** UA    **FINDING:** NF/W    **DEPT. ACTION:**

**FINDINGS OF FACT:** The complainant requested a withdrawal of his complaint.

**SUMMARY OF ALLEGATION #2:** The officers seized the complainant's money without cause.

**CATEGORY OF CONDUCT:** UA    **FINDING:** NF/W    **DEPT. ACTION:**

**FINDINGS OF FACT:** The complainant requested a withdrawal of his complaint.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 11/05/10    **DATE OF COMPLETION:** 06/01/11    **PAGE#** 1 of 3

**SUMMARY OF ALLEGATION #1:** The officer arrested the complainant without cause.

**CATEGORY OF CONDUCT:**    UA        **FINDING:**    PC        **DEPT. ACTION:**

**FINDINGS OF FACT:** The complainant stated the officer should not have arrested him. There is no dispute the complainant did not have his identification on him when initially detained. The complainant was cited and transported to the station in order to be properly identified. The complainant was arrested at the station due to having an outstanding warrant. There were no independent witnesses to this incident. The evidence proved that the acts, which provided the basis for the allegations, occurred; however, such acts were justified, lawful, and proper.

**SUMMARY OF ALLEGATION #2:** The officer used profanity toward the complainant.

**CATEGORY OF CONDUCT:**    D        **FINDING:**    NS        **DEPT. ACTION:**

**FINDINGS OF FACT:** The complainant said the officer used profanity during the incident. The officer denied the allegation. There were no independent witnesses to this incident. There is insufficient evidence to either prove or disprove the allegation made in the complaint.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 11/05/10 **DATE OF COMPLETION:** 06/01/11 **PAGE#** 2 of 3

**SUMMARY OF ALLEGATION #3:** The officer used threatening, inappropriate comments and behavior toward the complainant.

**CATEGORY OF CONDUCT:** CRD **FINDING:** NS **DEPT. ACTION:**

**FINDINGS OF FACT:** The complainant stated the officer threatened to arrest him, cause injury, and insulted him. The officer denied the allegation. There were no independent witnesses to this incident. There is insufficient evidence to either prove or disprove the allegation made in the complaint.

**SUMMARY OF ALLEGATION #4:** The officer failed to properly process property.

**CATEGORY OF CONDUCT:** ND **FINDING:** NS **DEPT. ACTION:**

**FINDINGS OF FACT:** The complainant stated the officer refused to safe keep his property that was left at the scene after he was taken and transported to the station. The officer said the complainant's friend took possession of his property for safekeeping. There were no independent witnesses to this incident. There is insufficient evidence to either prove or disprove the allegation made in the complaint.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 11/05/10 **DATE OF COMPLETION:** 06/01/11 **PAGE#** 3 of 3

**SUMMARY OF ALLEGATION #5:** The officer made a racially derogatory comment.

**CATEGORY OF CONDUCT:** RS **FINDING:** NS **DEPT. ACTION:**

**FINDINGS OF FACT:** The complainant stated the officer told him he lived across the bay where the white people are. The officer denied the allegation. There were no independent witnesses to this incident. There is insufficient evidence to either prove or disprove the allegation made in the complaint.

**SUMMARY OF ALLEGATION #:**

**CATEGORY OF CONDUCT:** **FINDING:** **DEPT. ACTION:**

**FINDINGS OF FACT:**



**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 11/08/10 **DATE OF COMPLETION:** 06/28/11 **PAGE#** 1 of 1

**SUMMARY OF ALLEGATION #1:** The officer behaved inappropriately.

**CATEGORY OF CONDUCT:** CRD **FINDING:** NS **DEPT. ACTION:**

**FINDINGS OF FACT:** In his complaint, the complainant stated the officer was verbally abusive to construction company employees while directing traffic at a construction site. The officer stated he was calm and professional. The complainant failed to respond to repeated contact attempts. There were no available witnesses and no additional evidence to further prove or disprove the allegation.

**SUMMARY OF ALLEGATION #:**

**CATEGORY OF CONDUCT:** **FINDING:** **DEPT. ACTION:**

**FINDINGS OF FACT:**

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 11/22/10      **DATE OF COMPLETION:** 06/16/11      **PAGE #1 of 1**

**SUMMARY OF ALLEGATION #1:** The officer's comments and behavior were inappropriate.

**CATEGORY OF CONDUCT:** CRD      **FINDING:** NS      **DEPT. ACTION:**

**FINDINGS OF FACT:** The complainant stated the officer was extremely hostile, threatening, and rude. The officer denied the allegation. The officer said the complainant yelled and left the scene without any incident. A witness officer arrived briefly on scene and did not hear the dialogue between the complainant and the named officer. No other witnesses came forward. There was insufficient evidence to either prove or disprove the allegation made in the complaint.

**SUMMARY OF ALLEGATION #:**

**CATEGORY OF CONDUCT:**                      **FINDING:**                      **DEPT. ACTION:**

**FINDINGS OF FACT:**

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 09/28/10      **DATE OF COMPLETION:** 06/16/11      **PAGE#** 1 of 1

**SUMMARY OF ALLEGATIONS #1-2:** The officers failed to take required action.

**CATEGORY OF CONDUCT:**      ND      **FINDING:**      PC      **DEPT. ACTION:**

**FINDINGS OF FACT:** The complainant stated the officers did not assist her and failed to get the other party's information. The complainant admitted she did not ask for a citizen's arrest or a report to be made. The officers denied the allegation and stated they investigated the incident and determined the complainant and the other parties were intoxicated and both did not want to press charges or file a report. The officers investigated the incident and determined the complainant to be the aggressor. The officers released the parties and did not provide the other party's personal information to the complainant due to the victim's rights and safety. A witness corroborated these officers' accounts of what occurred at the scene. The evidence proved that the acts, which provided the basis for the allegations, occurred; however, such acts were justified, lawful, and proper.

**SUMMARY OF ALLEGATION #:**

**CATEGORY OF CONDUCT:**                      **FINDING:**                      **DEPT. ACTION:**

**FINDINGS OF FACT:**

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 12/07/10    **DATE OF COMPLETION:** 06/30/11    **PAGE #1** of 1

**SUMMARY OF ALLEGATION #1:** The officer issued a citation without cause.

**CATEGORY OF CONDUCT:** UA      **FINDING:** PC      **DEPT. ACTION:**

**FINDINGS OF FACT:** The complainant said he did not believe that he had done anything wrong, but acknowledged that the officer showed him a radar device indicating he had been speeding. The facts of the incident as described by the complainant and the officer were in agreement. The officer demonstrated that he had captured the speed of the complainant on an accurate, tested, device. The evidence showed that the acts, which provided the basis for the allegation, occurred, however, such acts were justified, lawful and proper.

**SUMMARY OF ALLEGATION #2:** The officer engaged in biased policing, based on race.

**CATEGORY OF CONDUCT:** CRD      **FINDING:** U      **DEPT. ACTION:**

**FINDINGS OF FACT:** The complainant speculated that the officer's actions may have been "profiling based on the complainants nationality and the make of the car that the complainant was driving," but offered no evidence that indicated that fact. The officer denied the allegation. The officer and the complainant agreed on the significant facts of the incident, including that the officer asked the complainant the year of his car. The officer stated that he focused on the complainant's car because it was catching up with other cars and that the officer's radar confirmed that the complainant was exceeding the speed limit. The officer explained he routinely asks those he stops for information to gauge how truthful they are. The officer was questioned relative to the OCC's biased policing protocol. A preponderance of the evidence showed that the acts, which provided the basis for the allegation did not occur.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 12/07/10    **DATE OF COMPLETION:** 06/01/11    **PAGE #1** of 1

**SUMMARY OF ALLEGATION #1:** The officer failed to comply with Department Bulletin 10-049.

**CATEGORY OF CONDUCT:** ND            **FINDING:** NS            **DEPT. ACTION:**

**SUMMARY OF ALLEGATION:** The complainant said he saw an officer driving while using his cell phone. The officer admitted being on his cell phone as alleged, but could not “recall the exact nature of this call.” Department Bulletin 10-049, USE OF CELLULAR PHONES AND ELECTRONIC COMMUNICATIONS DEVICES BY MOTORISTS AND MEMBERS, allows members to use a wireless telephone “in the course and scope of his or her duties.” Since the officer could not specifically recall the nature of his call, the evidence was insufficient to either prove or disprove the allegation.

**SUMMARY OF ALLEGATION #:**

**CATEGORY OF CONDUCT:**                    **FINDING:**                    **DEPT. ACTION:**

**FINDINGS OF FACT:**

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 12/15/10 **DATE OF COMPLETION:** 06/17/11 **PAGE#** 1 of 2

**SUMMARY OF ALLEGATION # 1-2:** The officers arrested the complainant without cause.

**CATEGORY OF CONDUCT:** UA **FINDING:** PC **DEPT. ACTION:**

**FINDINGS OF FACT:** The complainant stated the officers arrested him for assaulting his wife. The complainant admitted striking his wife. In the audio recording for the 911 call, the complainant's wife can be heard calling 911 in fear of her husband. The dispatcher heard the wife screaming and the sounds of a physical altercation between the complainant and his wife. The dispatcher transmitted this information to the officers. Based on the dispatcher's transmitted descriptive information to the officers, the officers had sufficient probable cause to arrest the complainant. Furthermore, they were required per Department Policy to make an arrest. The evidence proved that the acts, which provided the basis for the allegations occurred; however, such acts were justified, lawful and proper.

**SUMMARY OF ALLEGATION #3:** The officer used unnecessary force.

**CATEGORY OF CONDUCT:** UF **FINDING:** NS **DEPT. ACTION:**

**FINDINGS OF FACT:** The complainant stated an officer used unnecessary force to take him into custody. The witness stated the complainant was intoxicated and failed to comply with the officers' commands to get on the ground in a timely way. The witness said the officers did not do anything excessive to the complainant. The complainant complained of facial injury at the police station, and officers summoned paramedics to the station. The paramedics left the station without writing a Patient Care Report. Photos taken of the complainant at the station following his arrest failed to show any visible facial injuries. The officer denied the allegation. No other witnesses came forward. There was insufficient evidence to prove or disprove the allegation made in the complaint.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 12/15/10 **DATE OF COMPLETION:** 06/17/11 **PAGE#** 2 of 2

**SUMMARY OF ALLEGATION #4:** The officer made an inappropriate comment.

**CATEGORY OF CONDUCT:** CRD **FINDING:** NS **DEPT. ACTION:**

**FINDINGS OF FACT:** The complainant stated an officer called him “deranged.” The complainant said he saw and spoke to the same officer earlier that evening during a previous call for service to his area. The officer denied the allegation. No witnesses came forward. There was insufficient evidence to either prove or disprove the allegation.

**SUMMARY OF ALLEGATION #:**

**CATEGORY OF CONDUCT:** **FINDING:** **DEPT. ACTION:**

**FINDINGS OF FACT:**

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 12/12/10      **DATE OF COMPLETION:** 06/13/11      **PAGE#** 1 of 1

**SUMMARY OF ALLEGATION #1:** The officer misrepresented the truth.

**CATEGORY OF CONDUCT:**      CRD      **FINDING:**      NS      **DEPT. ACTION:**

**FINDINGS OF FACT:** The complainant was in a minor collision with an officer driving a Department vehicle. The complainant alleged the officer misrepresented the truth regarding the facts and circumstances of the collision in the police report. The witness did not recall the incident in sufficient detail. The officer denied the allegation. There was insufficient evidence either to prove or disprove the allegation made in the complaint.

**SUMMARY OF ALLEGATION #:**

**CATEGORY OF CONDUCT:**      **FINDING:**      **DEPT. ACTION:**

**FINDINGS OF FACT:**



**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 01/03/11    **DATE OF COMPLETION:** 06/01/11    **PAGE#** 1 of 2

**SUMMARY OF ALLEGATION #1:** The officer threatened the complainant and made inappropriate comments.

**CATEGORY OF CONDUCT:**    CRD    **FINDING:**    NS    **DEPT. ACTION:**

**FINDINGS OF FACT:** The complainant stated that while issuing him a citation for jay-walking, the officer made inappropriate statements and threatened to arrest him. The named officer denied making the inappropriate statements described by the complainant. He also denied threatening to arrest the complainant. The named officer said he had seen the complainant in the area on multiple occasions with a group of people who were loitering and drinking beer, and on the date of this incident told the complainant that he would cite him for any future violations he saw him commit. The named officer's partner stated that he did not recall this interaction. A civilian witness identified by the complainant stated that he did not recall this incident. Another civilian witness stated that he did not recall the interaction between the complainant and the named officer. There is insufficient evidence to prove or disprove the allegation.

**SUMMARY OF ALLEGATION #2:** The officer issued an invalid order.

**CATEGORY OF CONDUCT:**    UA    **FINDING:**    NS    **DEPT. ACTION:**

**FINDINGS OF FACT:** The complainant stated that while issuing him a citation for jay-walking, the officer searched him and found some marijuana. The officer ordered the complainant to throw away the marijuana although the complainant showed him a doctor's letter authorizing his use of medical marijuana. The named officer stated that he did recall finding marijuana in the complainant's possession or telling him to dispose of marijuana. The named officer's partner stated that he did not recall this interaction. A civilian witness identified by the complainant stated that he did not recall this incident. Another civilian witness stated that he did not recall the interaction between the complainant and the named officer. There is insufficient evidence to prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 01/3/11    **DATE OF COMPLETION:** 06/01/11    **PAGE#** 2 of 2

**SUMMARY OF ALLEGATION #3:** The officer had a rude manner.

**CATEGORY OF CONDUCT:**    D    **FINDING:**    NS    **DEPT. ACTION:**

**FINDINGS OF FACT:** The complainant stated that the officer displayed a rude manner. The named officer denied the allegation. The named officer's partner stated that he did not recall this interaction. A witness identified by the complainant stated that he did not recall this incident. Another civilian witness stated that he did not recall the interaction between the complainant and the named officer. There is insufficient evidence to prove or disprove the allegation.

**SUMMARY OF ALLEGATION #:**

**CATEGORY OF CONDUCT:**    **FINDING:**    **DEPT. ACTION:**

**FINDINGS OF FACT:**

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 01/10/11      **DATE OF COMPLETION:** 06/28/11      **PAGE #1** of 1

**SUMMARY OF ALLEGATION #1:** The officer failed to return property.

**CATEGORY OF CONDUCT:** ND      **FINDING:** U      **DEPT. ACTION:**

**FINDINGS OF FACT:** The complainant stated that his nephew was arrested when his nephew was bringing baseball playoff tickets to him and that the officer has not returned the tickets to the complainant. Department records show that that complainant's nephew was arrested for illegal ticket sales when he sold the playoff ticket to an undercover officer. The officer stated that he would not return the tickets to the complainant because the tickets were not taken from the complainant but from the complainant's nephew. The officer stated that when the tickets are authenticated they would be returned to the person they were taken from – the complainant's nephew. As of April 2011, the tickets had been authenticated and released for the complainant's nephew to claim them and pick them up. The evidence proved that the acts alleged in the complaint did not occur.

**SUMMARY OF ALLEGATION #2:** The officer practiced biased policing due to the complainant's race.

**CATEGORY OF CONDUCT:** CRD      **FINDING:** U      **DEPT. ACTION:**

**FINDINGS OF FACT:** There is NO evidence proffered by the complainant to lend any credence to the allegation that race had any bearing on the return of the ticket. The money that was confiscated was returned, race had no bearing on this issue. The officer stated he had seized tickets from several different people of different ethnic backgrounds, however, the complainant was the only person who wanted the tickets returned, and in order to get them returned, they had to be authenticated first. As of April 2011, the tickets had been released for pick up by the complainant's nephew. The officer was interviewed relative to the OCC's biased policing protocol the evidence proved that the acts alleged in the complaint did not occur.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 01/10/11      **DATE OF COMPLETION:** 06/29/11      **PAGE#** 1 of 2

**SUMMARY OF ALLEGATION #1:** The officer cited the complainant without cause.

**CATEGORY OF CONDUCT:**      UA      **FINDING:**      NF/W      **DEPT. ACTION:**

**FINDINGS OF FACT:** The complainant requested a withdrawal of the complaint.

**SUMMARY OF ALLEGATION #2:** The officer's behavior and comments were inappropriate.

**CATEGORY OF CONDUCT:**      CRD      **FINDING:**      NF/W      **DEPT. ACTION:**

**FINDINGS OF FACT:** The complainant requested a withdrawal of the complaint.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 01/10/11      **DATE OF COMPLETION:** 06/29/11      **PAGE# 2 of 2**

**SUMMARY OF ALLEGATION #3:** The officer prepared an inaccurate citation.

**CATEGORY OF CONDUCT:**      ND      **FINDING:**      NF/W      **DEPT. ACTION:**

**FINDINGS OF FACT:** The complainant requested a withdrawal of the complaint.

**SUMMARY OF ALLEGATION:**

**CATEGORY OF CONDUCT:**      **FINDING:**      **DEPT. ACTION:**

**FINDINGS OF FACT:**

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 02/04/11 **DATE OF COMPLETION:** 06/30/11 **PAGE #1** of 1

**SUMMARY OF ALLEGATION #1:** The officer failed to take required action.

**CATEGORY OF CONDUCT:** ND **FINDING:** NS **DEPT. ACTION:**

**FINDINGS OF FACT:** The officer denied the allegation. No other witnesses came forward. There was insufficient evidence to either prove or disprove the allegation.

**SUMMARY OF ALLEGATION #:**

**CATEGORY OF CONDUCT:** **FINDING:** **DEPT. ACTION:**

**FINDINGS OF FACT:**

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 02/16/11 **DATE OF COMPLETION:** 06/06/11 **PAGE #1 of 1**

**SUMMARY OF ALLEGATION #1:** The officer demonstrated inappropriate behavior.

**CATEGORY OF CONDUCT:** CRD      **FINDING:** M      **DEPT. ACTION:**

**FINDINGS OF FACT:** By mutual agreement of the complainant and the accused member, the complaint was mediated and resolved in a non-disciplinary manner on May 10, 2011.

**SUMMARY OF ALLEGATION #:**

**CATEGORY OF CONDUCT:**      **FINDING:**      **DEPT. ACTION:**

**FINDINGS OF FACT:**